TENNESSEE

Joseph W. Callis, Germantown.
Jesse B. McCasland, Goodlettsville.
Thomas W. Williams, Lucy.

TEXAS

Emil E. Fahrenkamp, Big Spring.

HOUSE OF REPRESENTATIVES

FRIDAY, *May 25, 1928*

The House met at 12 o'clock noon.

The Chaplain, Rev. James Shera Montgomery, D. D., offered the following prayer:

Breathe on us, O breath of God, as we tarry in Thy holy presence. Life and time will pass by, but Thy love alone shall last forever. We would not allow ourselves to complain; waves of emotion course through our breasts as we think of Thy providence that leads us on to perfect happiness and to the dawn of everlasting life. As the old sun will pierce the thickest cloud, so clear and safe is the new light and the new life of this pain-throbbed world. The cross of the Master, bathed in the glory of a perfect day, turns the hearts of men. It draws to it the storm-beaten faces of earth, for its empire is the empire of the oppressed, the bereaved, and the broken-hearted. Put Thy hand upon the life and the destiny of our Republic. Keep it there until all hate is dissolved, all bigotry dies away, and all unjust scepters are broken. In the name of Jesus of Nazareth. Amen.

The Journal of the proceedings of yesterday was read and approved.

MESSAGE FROM THE SENATE

A message from the Senate, by Mr. Craven, its principal clerk, announced that the Senate had passed, with amendments, in which the concurrence of the House of Representatives was requested, a bill of the following title:

H. R. 13873. An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes.

The message also announced that the Senate insists upon its amendments to the bill (H. R. 13873) entitled "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes," asks a conference with the House of Representatives on the said bill and amendments thereto, and appoints Mr. WARREN, Mr. CURTIS, and Mr. OVERMAN to be the conferees on the part of the Senate.

The message also announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. 1822) entitled "An act to authorize the Secretary of War to transfer or loan aeronautical equipment to museums and educational institutions."

The message further announced that the Senate agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House of Representatives to the bill (S. J. Res. 46) entitled "Joint resolution providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes."

The message also announced that the Senate agrees 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. 1) entitled "An act to reduce and equalize taxation, provide revenue, and for other purposes."

The message further announced that the Senate recedes from its amendment No. 54 to the bill (H. R. 1) entitled "An act to reduce and equalize taxation, provide revenue, and for other purposes."

The message also announced that the Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (H. R. 5681) entitled "An act to provide a differential in pay for night work in the Postal Service," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill.

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

The message further announced that the Senate having proceeded, in pursuance of the Constitution, to reconsider the bill (H. R. 7900) entitled "An act granting allowances for rent, fuel, light, and equipment to postmasters of the fourth class, and for other purposes," returned to the House of Representatives by the President of the United States, with his objections, and sent by the House of Representatives to the Senate with the message of the President returning the bill.

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

The message also announced that the Senate agrees 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. 6518) entitled "An act to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled 'An act to provide for the classification of civilian positions within the District of Columbia and in the field services.'"

SECOND DEFICIENCY APPROPRIATION BILL

Mr. WOOD. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13873) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate; and, further, that the conferees be authorized to agree to any such amendments despite the provisions of section 2 of Rule XX.

The SPEAKER. The gentleman from Indiana asks unanimous consent to take from the Speaker's table the bill, H. R. 13873, the second deficiency appropriation bill, with Senate amendments thereto, disagree to the Senate amendments, and agree to the conference asked by the Senate; and, further, that the conferees be authorized to agree to any such amendments despite the provisions of section 2 of Rule XX. The Clerk will report the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, will not the gentleman from Indiana explain just what his request means?

Mr. WOOD. Mr. Speaker, the request is the ordinary request, with the exception of the last portion of it, which asks for additional authority that amendments may be agreed to, despite the provisions of section 2 of Rule XX, which means that we may agree to amendments of new matter without bringing the same back to the House. There is not anything so far of a controversial nature, and we are very nearly through with the conference, as a matter of fact.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER appointed the following conferees: Mr. WOOD, Mr. CRAMTON, Mr. BYRNS.

EXPLANATION OF A VOTE

Mr. HARRISON. Mr. Speaker, when the vote was taken yesterday on the bill referring to emergency officers' retirement, I was unavoidably absent from the House on an important engagement, without any idea that the bill would be called up for consideration before the House yesterday. I have always been an intense advocate of the measure, and if I had been here I would have voted in the affirmative.

Mr. WOODRUM. Mr. Speaker, on the bill just mentioned by my colleague, voted on yesterday, I was absent from the Chamber, and if had been here, I would have voted to sustain the President's veto.

PENSIONS

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 13563, an omnibus pension bill, with Senate amendments thereto, and agree to the Senate amendments.

The SPEAKER. The gentleman from Minnesota asks unanimous consent to take from the Speaker's table the bill, H. R. 13563, an omnibus pension bill, with Senate amendments thereto and agree to the Senate amendments. The Clerk will report the title of the bill.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendments were read.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

HIGHER EDUCATION IN THE DISTRICT OF COLUMBIA

Mr. NELSON of Wisconsin. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD upon the subject of higher education in the District of Columbia. I made some investigation about two universities, and I think they have suffered a great deal of harm, and I would like to present some data.

The SPEAKER. The gentleman from Wisconsin asks unanimous consent to extend his remarks in the RECORD upon the subject of education in the District of Columbia. Is there objection?

There was no objection.

Mr. NELSON of Wisconsin. Mr. Speaker, during the closing weeks of the session I became greatly interested in higher education in the District of Columbia as affected by Senate bill 2366 on degree-conferring institutions.

The heads of two universities that give courses more or less in extension work appealed to me to assist them in the defense of their schools from destruction by this bill, themselves from character defamation in the press, and actual or threatened indictments before the courts.

An insidious propaganda carried on over a period of years against so-called "diploma mills" had weakened these institutions financially to such an extent as to nearly ruin them, and now by the provisions of this bill expressly directed at them their very existence is threatened.

It was made clear to me by evidence in abundance, partly presented with these remarks, but more fully printed in the hearings, that this propaganda had been carried on by a special assistant United States attorney acting with and for interested parties, who appear to me to be promoting under the pretense of reforming higher education in the District of Columbia—a mere smoke screen—the exploitation of themselves before the public and the promotion of their own selfish business interests. Anyone familiar with rivalries among higher schools and their various adherents can realize how ruthless this kind of warfare may at times become.

I had occasion several years ago to become personally acquainted with President Porter, of Potomac University. This is one of the higher schools carrying on university extension work. Because of his high character as a man, the good work he has been conducting for 24 years in preparing preachers for their sacred calling, and the injustice that was being perpetrated upon him by this bill, when appealed to for help, I felt myself under a moral obligation which I could not shirk, to appear before the Committee on the District of Columbia to offer an amendment to the pending measure that would preserve this school from annihilation. The bill required all university work for which any degree is conferred to be done in residence. Subsequently President Rapeer, of Research University, told me of the wrongs done the heads of this institution, wrongs which seemed to me so amazing as almost to stagger belief. This is another of such higher schools carrying on evening residence and correspondence work, more particularly for school-teachers and others who are unable to attend in residence except for vacation periods and final examinations. My interest, as a former superintendent of schools, becoming deeply aroused, I resolved to assist to the utmost these deserving and oppressed school men in the Nation's Capital who were carrying on their lawful vocations in a very worthy way. Accordingly, I outlined a plan of campaign which has so far met with singular success.

My first step was to confer with Senators CAPPER and COPELAND, of the District Committee of the Senate. This Senate committee had accepted an amendment which would have safeguarded these schools. But the amendment had failed of enactment in the Senate. It was reported to me that Senator COPELAND particularly opposed it. Knowing this high-minded Senator well I could not imagine why he should desire to destroy such a school as Potomac University. Accordingly, I conferred with him, told him of my knowledge of Doctor Porter, of the good work that he was carrying on, and of the high character of his teachers. The Senator assured me that he had not intended to destroy this school, suggested that I prepare and present to the House committee an amendment which would safeguard Potomac University, and said that he would withdraw his opposition to such a provision. I also conferred with Senator CAPPER, chairman of the Senate committee, who expressed a similar sentiment.

My next step was to secure a hearing before the House Committee on the District of Columbia. On the day I was appealed to for help by President Porter the Senate bill had been accepted without amendment by the House District Committee and ordered reported to the House. But the report had not been filed. I asked Chairman ZIHLMAN to defer final action until I could be heard. Being a very fairminded Member of Congress, he directed Mr. MCLEOD, chairman of the subcommittee, to postpone the filing of the House report until I could come before the next meeting of the committee to be heard on the amendment.

My next step was to present the cause of Potomac University to the busy Committee on the District of Columbia. I did so at three different hearings. At the first I explained my means of knowledge of Doctor Porter and of his university, giving details to be found in the hearings. I particularly pointed out that without an amendment such as I offered his school would be ruthlessly destroyed, his contracts with students would be impaired, and he himself would be branded before the public as the head of a "diploma mill" which had been driven out of the field of higher education in Washington by law. I called attention to the wrong that would be done not only to the president and to his good wife, who has been his assistant all these years, but also to the trustees and to teachers, comprising some of the best men in the country's teaching profession, students now enrolled in a number of about 350, and more than 600 graduates. The committee unanimously ordered a reopening of the hearing.

I next sent out a questionnaire to the students and graduates of this school whose addresses could be ascertained. The replies to this questionnaire were surprising. They are printed in the hearings fully, herewith only in part. One of these students, who had received a degree of doctor of divinity from Potomac, was present to explain and exemplify with the actual textbooks and other data the methods by which the instruction in extension was carried on and the safeguards thrown around the work to prevent fraud. There were in attendance at the hearings scores of representative men and women of standing in the city of Washington who came to testify to the high character of Doctor Porter himself.

It was agreed that at a third hearing the special assistant United States attorney, the leading spirit carrying on this prosecution—which if characterized correctly should be termed a persecution—was to be given a full opportunity to present whatever evidence she might have against this higher school of learning. She appeared, presented her case, making certain charges. These were refuted immediately, one by one, as they had been presented by her to the committee. As a result of that hearing and at the end of it the committee unanimously accepted the amendment I proposed exempting Potomac University and like schools doing extension work from being closed up. The words "in residence" were stricken out.

Subsequently I appeared before the committee to give it the result of my studies of the bill itself. My first impression had been very decidedly for any measure having as its purpose the destruction of educational "diploma mills." But when I came to understand unmistakably the kind of a measure that was being urged upon Congress by this special assistant United States attorney and her collaborators, a Rand-McNally book agent, who alleged that he was acting for the chamber of commerce, and the head of a law school whose interests had been or might be more or less affected by competition with these correspondence schools, I saw clearly that the bill had defects of the most serious character.

Most of the higher schools or universities of the District of Columbia were specifically and expressly exempted from its provisions. In fact, the two schools that would be seriously affected by the proposed law were Potomac University and Research University. If there were any so-called "diploma mills" in the District of Columbia they were of so vague and shadowy character that they largely vanished when I sought for them. The bill lodged power of the most extraordinary kind in a board of education whose qualifications might be anything or nothing, a board consisting of three women, several Gentiles, a Jew, and three negroes. The proposed law provides for drastic penalties—not only fines but also imprisonment—and the standards required of these schools to secure a license from this board of education, in addition to charter rights virtually nullified by this act, were so indefinite, so uncertain, and so arbitrary that no one could possibly fulfill them. The members of the board of education could not themselves know the extent of their powers, nor could the universities put under their authority know by any possible means what might be required of them.

As a lawyer familiar with the provisions of the Constitution of the United States, I saw that in spirit nearly a dozen safeguards thrown around the life, liberty, and property of our citizens by this sacred instrument had been utterly disregarded. Most assuredly, without the amendment I had proposed, these higher schools of learning would be a duplication of the Dart-

mouth College case which Webster and Marshall so gloriously defended. I, therefore, requested the head of the legislative reference bureau of the Library of Congress to prepare several briefs on the bill carefully reviewing the decisions in the leading cases before the Supreme Court of the United States. In the meantime I had conferred with leading attorneys of the House and with attorneys outside whose help I had enlisted. I also discussed the constitutional provisions violated by this bill with one of the foremost teachers of constitutional law in the schools of Washington.

All are of my opinion that the bill is unconstitutional in two respects: First, because of its arbitrary classification, it violates the fifth amendment, guaranteeing due process of law, and the fifteenth amendment, giving equal protection of the law to every citizen alike; and, second, the standards of guilt set up are so indefinite and uncertain as not to be ascertainable by the universities required to observe them. These studies, together with the briefs, were presented to the committee and are printed in the hearings. During the weeks that these hearings were going on other important events took place which are noteworthy.

This special assistant United States attorney, finding that I was asking for an amendment in behalf of correspondence schools, requested an interview. This was readily granted. I was interested in meeting her. I had now learned that she was the driving force, not only in carrying on propaganda through the newspapers against this school, in seeking fraud orders against this institution by the Post Office Department, but also in actually indicting the heads of Research University, its president and registrar, before the grand jury, and threatening indictment likewise of the heads of the Potomac University if they do not stop opposing her bill in Congress. She claims chief credit for the preparation of the bill itself, is the active lobbyist for it in personal interviews with Members, and its chief advocate before the committees of Congress. Indeed, she seems to have made it her principal work over a period of three or four years to destroy these correspondence schools—Potomac and Research Universities—hesitating at nothing.

She had not been in my office long before I was made aware of her peculiar standards of conduct as a public official. She began by replying to my inquiry, "What do you know of Doctor Porter?" by saying, "Doctor Porter is an unmitigated liar." I appealed to her, telling her what I knew of Doctor Porter, to consent to this reasonable amendment, stating that it had been agreed to by Senators COPELAND and CAPPER. But she declared that she would not do so. If it were adopted, she asserted, she would defeat the bill. She said many other things which gave me an insight into her hostile attitude toward these universities. She said she had requested a fraud order from the Post Office Department, which she expected soon to be issued. When she left my office I knew exactly the source of all this mischief, and realized that clothed with the official power of the office of the United States attorney, unless restrained by some cool-headed superior, she could do a world of harm to innocent people and to the cause of higher education in the District of Columbia.

I determined, therefore, at once to call on the Post Office Department to see at first hand this fraud order that she had requested and was expecting at any time. Having stated my purpose to the First Assistant Postmaster General, Mr. Bartlett, he took me to the legal division. By the chief of this department I was taken to the office of the chief inspector. There I was permitted to read the request of this special United States attorney for a fraud order, the questionnaire that had been sent out, the replies to the questionnaire, and the conclusion of the inspector approved by the Post Office Department.

There was not a sign of fraud. On the contrary, the evidence was complete that all who had anything to do with Potomac University were enthusiastically grateful to the school. The fraud order had been denied for more than a year; yet I was given to understand, as was the Committee on the District of Columbia, that a fraud order was expected at any time against Potomac University. Incidentally, may I say that she had also asked a fraud order against Research University, which had likewise been denied.

Although fraud-order documents are confidential I requested permission to have the one of Potomac University presented to the committee, which request was granted on condition that they were asked for by the chairman of the committee himself. The chairman made the request, and the evidence of fraud, not by the university but by this special assistant, is before the committee.

As a result of this experience I learned to what extremes this special assistant United States attorney would go to carry out her determination to destroy these correspondence universities. At the hearings I endeavored to confront her with the evidence that she had deliberately perpetrated a deception upon the committee and on Members of Congress like myself. I asked her if she did not know that her request for a fraud order had been denied, and tried to pin her down to a definite time so as to show that she must have known of the action of the Post Office Department for more than a year, but she blandly evaded my inquiries.

To checkmate her destructive activities further I found it necessary to confer with her immediate superiors, judges of the Supreme Court of the District of Columbia and the acting United States attorney. My immediate reason for this was that Doctor Porter had told me of her declared determination to have him indicted. She had caused subpœnas to be issued, after my appearance before the committee in his behalf, summoning trustees, the secretary of the university, and teachers to appear before her for examination, alleging that it was to be before the grand jury. One of these teachers was dead. His widow called up Doctor Porter to know the purpose of the summons. All of them informed Doctor Porter of the subpœnas served on them and assured him that they had nothing but good to say of Potomac University to this special assistant United States attorney and had told her so. But she, sitting at her own typewriter, asked them a lot of questions, the replies to which she typed in such forms as she preferred, and then ordered them to make affidavits to what she had put down. In the confusion of a room where there were many clerks at work, and because of her threat of criminal process, some of them put their signatures to the affidavits, but subsequently gave me full accounts of their relations to the school and of their being browbeaten by this special assistant United States attorney.

She had also sent a subpœna for Mrs. Reed, Doctor Porter's daughter, a teacher; and Mrs. Porter herself accompanied her daughter to the office of this special United States attorney. Here, in a conversation, which has been reduced to writing at my request, finding that she could get nothing out of these people to incriminate the school, she told them threateningly that as long as Doctor Porter insisted upon the amendment I offered to the pending bill she would hesitate at nothing. She told them that she would have them, mother and daughter, indicted with Doctor Porter unless he desisted from demanding the amendment.

She also told a trustee that as long as Doctor Porter opposed her bill by proposing the amendment I had offered, she would hesitate at nothing.

All of these conversations I have had reduced to writing and put into the hearings. They came in very usefully. When this special assistant attorney of the United States was called upon by the committee to state her case against Potomac University, she produced these garbled affidavits and other matter, and in anticipation of this we were able to refute her charges instantly and emphatically at the same hearing.

But as this representative of the United States district attorney's office had hitherto had access to the news columns of the Washington newspapers freely, and thus was able by one-sided reports pretended to be official to arouse a hostile public sentiment against alleged "diploma mills," mentioning particularly Potomac and Research Universities, it became necessary to restrain her publicity activities. This had become keenly necessary because she had not taken the witnesses subpœnaed before the grand jury but had got them in the manner just described to sign garbled statements which she herself had prepared, and having added various harmful matter to give them sensational color, these were given as news items to one of the leading newspapers and were published in a form most offensive to Potomac University under the flaring headline "Diploma mill."

Accordingly, following one of the hearings, I directed Doctor Price, with Mrs. Porter and other men and women of high standing, to go as a committee to the editors or publishers of these Washington newspapers and to show them personally the replies to the questionnaire that I had sent out, and Doctor Price himself to explain, as he had before the committee, the method of carrying on extension work and safeguarding all degrees granted by Potomac University. I assured this committee that these publishers would hear them gladly; that libel suits would do no good and were costly, but straightforward statements with evidence presented to the higher newspaper officials would prevent a repetition of such gross injustice as was exemplified by the last effort of this special assistant attorney to poison public opinion against Potomac University.

The committee did as I had suggested and reported a very favorable reception on the part of the publishers of Washington newspapers, who thanked them for coming and promised them a

square deal. This promise has since been faithfully kept. Indeed, the committee was told by one of the newspaper publishers that they themselves were familiar with the activities of this special assistant United States attorney. From such and similar reliable sources we learned how she had gotten her appointment by political pressure, of her being on the pay roll a year without doing anything, of her being "jacked up" for her inactivity, and of her utter incompetence as a lawyer in the trial of cases, and of her using this "diploma-mill" propaganda as a smoke screen for self-exploitation. One does not have to cross the Atlantic Ocean in an airplane to seek notoriety. Sometimes it is done even in Congress, but it is a vicious thing in the Department of Justice and should be stopped by the courts.

Because of the threat of this special assistant United States attorney to indict Doctor Porter, his wife, and daughter, as she had already indicted the heads of Research University, its president, and registrar, and because of the unethical method she was pursuing as a prosecutor, of trying her cases in the newspapers under the inflaming headline of "Diploma mills" instead of by an orderly procedure before the courts, where her efforts could be reviewed and rebuked by a sitting judge, I determined to confer directly with the heads themselves of this department of government, judges of the Supreme Court of the District of Columbia. Having served with the distinguished jurist, Chief Justice McCoy, when he was a Member of Congress on the Judiciary Committee, and in the trial of impeachment cases, I first sought an interview with him, but as he was ill he referred me, through his medical attendant, to one of the associate justices. At his invitation I called upon this learned and courteous judge and told him of my effort to amend the pending "diploma mill" bill. I pointed out to him how legislation was being confused with efforts to indict the heads of these schools before the court.

I proposed that either these indictments be gotten rid of before Congress enacted any legislation with reference to these institutions, or that Congress be permitted to enact legislation without complications being brought in through indictments. I asked this honorable judge, "Who is it that now has actual charge over the many inferior assistant prosecuting attorneys pending a vacancy in the office of United States attorney?"

I was told that the District Supreme Court, under a provision of the law, had authorized the first assistant to act pending appointment by the President. Judge Stafford introduced me to the acting district attorney, Mr. Rover, speaking of him in high terms. I repeated to this cool-headed, able, and fair-minded lawyer just what I had set forth to the honorable judge. I handed him also, as I had shown the judge, the newspaper published the day before—April 25, 1928—carrying the garbled statements under the glaring headline, "Diploma mill," attacking Potomac University. Both of these judicial-minded men deplored this sort of propaganda work, and Mr. Rover, the acting head of the United States district attorney's office, promised me that he would look into the matter and that I should soon hear from him. Accordingly, the next day I was informed over the telephone that that kind of procedure would be stopped; that Congress might go on with its work of legislation, and that there would be no further confusion by indictments until the legislation under consideration was disposed of.

At subsequent hearings the special assistant United States attorney, resentful because thus restrained, kept repeating to the committee that I had stopped her from carrying on any further investigations of Potomac University. On the contrary, I made no protest against her carrying on any legitimate investigations. My protest concerned her brow-beating threats of indictments, because an amendment to the "diploma mill" bill was sought by the heads of these schools. My protest concerned her abuse of official power to issue subpœnas in order to manufacture evidence against the schools in garbled form, not presenting these witnesses before a grand jury, but handing out untrue statements to the press. My protest concerned her extraordinary and indefensible efforts to promote or defeat legislation in the Halls of Congress, when she had deliberately failed to obey the mandate of the law itself and knew that she could never convict the persons she had indicted before any fair-minded jury.

Finally as Congress would soon adjourn, fearing that she might make use of her power in some unexpected manner, I introduced the heads of these two schools, Doctor Porter, Mrs. Porter, and their daughter, Mrs. Reed, with the pastor of their church and Mr. Saunders and his wife, Virginia H. Saunders, who has been indicted by this special assistant attorney, likewise with the pastor of their church, to the Speaker of the House, Mr. LONGWORTH, the acting United States attorney, Mr. Rover, and to the President's private secretary, Mr. Sanders.

This was necessary, in my judgment, in order that the heads of the three branches of our Government—the legislative, the judicial, and the executive—might see these people for themselves, look into their faces, and hear the account of the wrongs which they had suffered.. It was also necessary that these innocent victims of persecution by this special assistant United States attorney should be in a position to appeal to these officials directly should this misguided special assistant seek to do them further harm. This joint committee was well received by the heads of these departments of our Government, and the parties interested with the pastors of their respective churches went to their homes much reassured.

Subsequently I suggested also that a committee of Members of Congress familiar with the facts in the case of Mrs. Virginia H. Saunders go before the United States attorney and demand a trial for her. This also was done. There has now been a delay of more than a year, during which time Mrs. Saunders has suffered grievously, not only in her peace of mind but also financially. It is an awful thing to have an indictment hang over one's head for a long period of time. While all who know Mrs. Saunders are standing by her most loyally—and I have received many letters in high commendation of her character—yet until the pending indictment is disposed of her good name and even her liberty is under a cloud. I forbear here to speak of Dr. L. W. Rapeer, of Research University, and his wrongs, and of the outrageous personal attack that was made upon him, instigated by this special assistant United States attorney, but subsequently stricken from the record by the committee. These have been set forth by affidavits in some detail and are printed in the hearings. Suffice it here to say that Mrs. Saunders was indicted with Doctor Rapeer for using the mails to defraud in conducting Research University by the usual extension-work methods. Some entirely proper letters were apprehended that had been sent out, but it was simply assumed by this special assistant that the university is a fraud, and on that false presumption she has based all her official activities. What a perversion of the sacred American principle that every citizen is presumed innocent until proven guilty beyond a reasonable doubt before a jury of his peers!

Nearly every student mentioned in the indictment as having been defrauded has continued to carry on work at the university. Mrs. Saunders herself was a student working for her master's degree, for which she studied most industriously for more than a year. She had previously graduated from the University of Wisconsin. She paid for her instruction by doing clerical work and was subsequently promoted to the office of registrar. She has received only $100 from that school in compensation for several years of consecrated service. Her work has been largely a labor of love. Yet she has been indicted by this special assistant United States attorney for using the mails to defraud. Comment is unnecessary.

The indictment is to me on its face absurd, and it was so declared by one of the ablest lawyers in the District of Columbia. These indictments were clearly brought about in order to influence legislation. The trial of these cases has not been had, because there is nothing whatever to the indictment. No conviction is possible in a fair trial. The letters printed in the hearings are to me as conclusive on this point in the case of Research as of Potomac University. The excuse for not bringing the case to trial after more than a year's time is lack of judges. The District Supreme Court consists of six judges. That may be so, but why should these innocent heads of the Research University thus suffer under this grievous charge without being given the right of speedy trial, so sacredly guarded by the Constitution, to clear their good name and save this school from utter ruin?

The charge that these universities were carrying on a fraudulent business—using the mails to defraud innocent people—is so serious in character and so ruinous to the universities thus wrongfully assailed that I have requested statements to be made by the respective representatives of these schools which would be enlightening to the public and set them right before the world. In short, I have undertaken as a legislator, representing the legislative branch of the Government, to undo as far as possible the wrongs done these schools by this representative of the judicial department of the Government. And not only have I asked consent to make these facts public and to afford these victims of official tyranny and persecution an opportunity to defend themselves thus conspicuously before the country, but with permission granted by the Committee on the District of Columbia I have inserted in the RECORD the overwhelming evidence by sworn and unsworn testimony to verify conclusively to any fair mind the truth of all that the heads of these schools and myself have asserted concerning this so-called diploma mill bill, its selfish purposes, unfair and unconstitutional provisions, and dangerous powers.

This has been done in order that all people interested may know the facts, not only students who are anxious to carry on contracts for instruction by these schools, but more especially

that the good people of the city of Washington may know the truth behind this "diploma mill" hullabaloo that has alarmed them needlessly. I commend the careful reading of the hearings and the appended addresses to every friend of justice, truth, and the "square deal."

What should be done with this special assistant United States attorney who has wrought all this mischief and is guilty of such gross official misconduct is a matter that I have considered with much care. I regret the necessity to say deliberately that were she more than an inferior appointee I would unhesitatingly impeach her on my responsibility as a Representative in Congress; but as she is not an impeachable officer under the Constitution, I can do no more than hold her superiors responsible so far as they shall condone her official misconduct.

As Congress adjourned without enacting this badly constructed measure, viciously unconstitutional, as the publicity activities of interested parties back of this bill have been exposed successfully, and, finally, as no more indictments are likely to be forthcoming until those now pending have been disposed of, it is my hope that all the higher schools of learning in the District of Columbia will unite in the preparation of a constructive and just measure that shall not only prevent gross fraud, however practiced, but also protect honest schools from being ruthlessly injured and maybe destroyed by a selfish and sensational propaganda carried on against alleged "diploma mills." Every thoughtful person must surely realize that such a noisy propaganda is helpful to no school, but harmful to all. It gives to the higher schools of learning at the Nation's Capital—all doing good work in their respective spheres of activity—a bad name nationally. Every one of the higher schools of learning in the District of Columbia is in danger of being looked upon elsewhere, because of such sensational national broadcasting, as more or less a "diploma mill." Had this misguided and overzealous special assistant obeyed the plain, wise, and mandatory provision of the code itself, which provides that if any violation of charter rights occur, on complaint, the district attorney "shall" proceed by writ of quo warranto and such schools permanently enjoined, all of this harm which has been done to the cause of higher education in the city of Washington generally and to Potomac and Research Universities in particular, might have been avoided. But, then, of course, no one would have read in the newspapers of the Nation's Capital from time to time over a period of several years the name of this special assistant United States attorney!

I append to my remarks the following statements by representatives of Potomac University and Research University, with letters which speak eloquently for the preservation of these institutions, the one a philanthropy for preachers and the other one for educators. If these worthy men and women have not the time nor means to go to the universities, these universities will go to them. That is the ideal of true educational democracy! That is bringing the blessings of the light of learning to all the people! Why should these higher schools of learning be destroyed? Why should the heads of these institutions, who, at great sacrifice, are devoting their lives to this ideal, be so defamed? To me it has seemed most amazing, almost unbelievable, that such persecution could actually take place, not in Leningrad of the Soviet Union, but almost within the shadow of the Nation's Capitol, in the city of Washington, the land of liberty, by a representative of the Government itself, and in the name of justice. To paraphrase the words of a profound student of history, "Oh, justice, what wrongs are committed in thy name!"

HIGHER EDUCATION IN THE DISTRICT OF COLUMBIA

Mr. Speaker, I insert in the RECORD as a part of my remarks an address by the Rev. George W. Price, D. D., pastor of the First Baptist Church of Schenectady, N. Y. on "Potomac University and higher education":

Doctor PRICE. Ladies and gentlemen, it is a great privilege and pleasure to be afforded this opportunity of presenting to you, somewhat in detail, the result of my personal investigation of the Potomac University, of Washington, D. C., and my personal experiences with the officers and instructors of this splendid institution.

My first knowledge of and interst in Potomac University came to me in the fall of 1923, while a professor of homiletics and English Bible in the Practical Bible Training School, Binghamton, N. Y. An announcement concerning courses of study on the Bible came to me through the mails, announcing a series of subjects in which I was specially interested. Correspondence with the president, Dr. Ernest W. Porter, led to my enrollment for six courses of graduate work. This work was so splendidly planned, logically arranged, scientifically presented, and so surprisingly helpful that I began to commend the work of the university to both students and friends, and after my completing the work assigned, successfully passing the rigid and comprehensive examinations given, and submitting for approval a 46,000-word thesis, the degree of doctor of divinity was publicly conferred on me June 1, 1925.

At that time I came to know President Porter personally and intimately and since then have visited him in his home four different times, spending days and weeks in personal examination of the methods and work of Potomac covering the 24 years of her history and every phase of her activity. The result of investigation and experience has been a growing conviction that Potomac University is doing one of the finest pieces of constructive educational work which is being done anywhere, and that in her special field of university extension or extra mural work she is absolutely unexcelled.

My personal investigations also led me to examine the character of the work offered and done by other schools doing work in absentia and offering degrees for the same. The result was my utter amazement at the low type of work some of these schools are doing and the comparison with that of Potomac, but emphasized the fact that they could not be named in the same class as Potomac, whose work is all done in strict harmony with generally accepted academic tradition.

With this knowledge in hand, my keenest interest was aroused when I learned, in April, 1928, that a bill had been presented in the United States Senate touching the incorporation of degree-conferring institutions within the District of Columbia, where Potomac University has been located for almost a quarter of a century, and especially so, when I learned that the bill as proposed would affect some of the rights and privileges of Potomac University and would require that the work of the institution be done "in residence," thus precluding the possibility of recognizing and rewarding work done in absentia.

Realizing that this would curtail the privilege of extending Potomac's helpful ministry to thousands of men and women, especially ministers, now engaged in their fields of activity and hindered by the duties of their vocations, family ties, and financial inability from doing work in resident schools and so precluding the possibility of their continuing supervised studies of university grade, I went to Washington to aid in any possible way the amending of the bill so that its passing would not limit nor curtail the work Potomac University is doing so efficiently and effectively.

On my arrival in Washington April 30, 1928, I learned that the bill known as S. 2366, intended to amend subchapter 1 of chapter 18 of the Code of Laws for the District of Columbia, had been presented to the Senate and referred to the Committee on the District of Columbia. I learned also that when this bill was later tested by evidence deduced before the Committee on the District of Columbia of the House of Representatives, it was found to be very imperfectly drawn. And, while its object has received general approval, it is basically unconstitutional, which fact I do not purpose to discuss at this time, except merely to state, in passing, that it is a penal statute, yet sets up no standard of guilt; it is retroactive in operation, tending to destroy vested rights acquired by long-established schools without any just or righteous cause; and for no apparent reason it establishes two classifications of colleges and universities in the District. It places no burdens or restrictions whatsoever on one class while establishing for the other class a series of limitations which may or may not be met by the majority of the schools; and in the case of a few institutions of unquestionable merit the proposed legislation becomes absolutely prohibitive and confiscatory.

I learned also that the proponents of the bill brought before the committee "exhibits showing the grave necessity for some legislation to limit the incorporation of educational institutions in the District of Columbia." To this I accord most cheerful and hearty assent. But the bill contained certain provisions which, it developed during the progress of the hearings, could be used to bludgeon at least one excellent school out of its charter rights; and, in fact, destroy those vested rights guaranteed under the Constitution.

I learned further that during the progress of the hearings before the Senate Committee Dr. Ernest Warren Porter, the honored president of Potomac, appeared in behalf of the university. His views on the effect of the bill upon some long-established institutions were cordially received and he was invited by Senator CAPPER, chairman of the committee, to prepare and submit an amendment which would "prevent injury or injustice to reputable, honest correspondence schools." (S. Rept., p. 1.) Doctor Porter, the president of the board of education, and others agreed upon an amendment, which was accepted without change by the Senate committee. In this connection I will add that on May 4 the same amendment was adopted by the committee of the House of Representatives in order to protect the charter rights of the Potomac University.

Immediately thereafter the hearings opened before the House committee. It was soon apparent that an effort was being made by a certain minor official to exhibit Potomac in an unfavorable light. Intimidation of officers and friends of the school was even attempted, and the true intent and purpose of the legislation was quite neglected, as even a glance through the official "hearings" will reveal.

Having reached the limit of his own resources in opposing the bill, Doctor Porter went to the office of the Hon. JOHN M. NELSON, of Wisconsin, who for 20 years in Congress has stood out as one of the

foremost defenders and champions of equality, justice, and righteousness in that honorable body, and asked him as an honest, conscientious, God-fearing national legislator to personally consider this matter of pending legislation, make the most searching investigation of the Potomac University and her work, and when absolutely satisfied with the merit and trustworthiness of the institution and the righteousness of her cause to intercede in behalf of the many whose interests were affected.

President Porter assured Congressman NELSON that the university would stand the closest scrutiny and the most searching investigation. With this assurance, this noble Christian statesman set about collecting the evidence bearing on the question of university extension work by correspondence, the conditions prevailing among schools specializing in extramural work, the academic standing of Potomac University, the real need for such a university, and the actual contribution she is making to higher education throughout our country and Canada.

Questionnaires were sent, hundreds of letters written, students and graduates interviewed, and every means at his disposal used in getting accurate information. The result was perfectly overwhelming. Within a week hundreds of letters containing the strongest indorsements which could be placed in language poured into Congressman NELSON'S office from ministers, judges, lawyers, doctors, teachers, professors, college presidents, Government attachés, editors, and persons in almost every walk of life commending in the highest terms the work done, the educational standards maintained, the thoroughness of the methods used, the ability of the instructors, the practical value of the courses, and every one emphatically protesting against any legislation which would in any wise impair or handicap Potomac in her beneficent work.

It was my personal privilege to read, analyze, and arrange for publication in the congressional hearings and RECORD more than 300 of these letters, and in not one of them was there a single derogatory statement or sentence.

That you may intelligently conceive their character and strength, permit me to read a few of these selected at random but typical of those received. The first of these letters is from my very dear personal friend, Guy Livingstone Brown, B. A., M. A. (Potomac University), D. D. (Ottawa University), pastor of the First Baptist Church of Watertown, N. Y., who writes as follows under date of May 3, 1928:

Hon. JOHN M. NELSON,
Member House of Representatives,
Third District, Wisconsin, Washington, D. C.

MY DEAR MR. NELSON: I have your letter of April 24, inquiring as to my opinion of the standing of Potomac University, Washington. I am very happy to say that I am an alumnus of the university named, and take pleasure in recommending in the very highest terms the work of Doctor Porter and his faculty, especially in the extension work carried on by the university. Whatever assistance you can give will be greatly appreciated by the university staff and the student body now represented in all parts of the country.

Doctor Porter is a conservative, hard-working man with wide sympathy for students that are willing to do their part, although lacking funds to carry on.

In my opinion, Potomac University is doing just the type of work that should be done in our country, namely, in offering to students college training through extension work. I am a firm friend of this university and Doctor Porter, and sincerely trust that you may do your part in helping this splendid institution as you indicate you are willing to do in your letter.

I will consider it a privilege to be of help in any way possible.

Sincerely,

GUY L. BROWN.

The second letter is from a man of culture and refinement, who has had wide educational advantages, and who bears testimony to the method of instruction and value of the courses, the Rev. J. M. Persenius, B. A. (Augustana College), M. A. (Potomac University), pastor of Zion Lutheran Church, Kewanee, Ill., who writes under date of May 3, 1928, as follows:

"Your letter asking about Potomac University has been sent to me from Grand Forks, N. Dak., where I had my pastorate a few years ago, and I am glad to submit the following answer:

"I am a graduate (A. B.) from Augustana College, Rock Island, Ill.—a rank A1 institution—and also from the Augustana Theological Seminary (three years' course) at the same institution. It would have been easy for me to take the A. M. degree at Yale, Harvard, or any State universities in less than one year after that, but they all required more or less residence study, and I could not do that, because I had my pastorate and could not leave my work there. A fellow pastor recommended the Potomac University to me, and as I found a course there that I liked very much I took it up, and I must say that I have been very much benefited by the course.

"I can assure you that no degrees are granted there without the most rigid examinations, and the students have no way of cheating, because the examination questions must be answered before a schoolman or pastor or some other reliable person recognized by the university, and that person has to sit there and watch and testify in writing to the university what time the examination started, how many hours it took the student to answer the questions, etc., and then he takes the papers and sends them in.

"I have taken many examinations and answered many questions, but no examination has been more rigid than the one I took on my course at Potomac University. Nearly every question required that you must know the book you had studied in its smallest details, and the marks you received would have been higher for the same answers at most institutions.

"I hate any degree given without proper work done, but it seems to me that there should be at least one recognized institution in our country where the students could study in absentia and receive a well-deserved degree.

"If you could get your proposed amendment through, you would serve thousands who have the ability to develop themselves, but who can not leave their homes and occupations for residence study.

"For my part I will testify that the work done at Potomac University has been faithful and that no just public complaint can be made.

"Respectfully,

"J. M. PERSENIUS."

The Rev. James A. Fraser, B. D., Ph. D., pastor of the First Presbyterian Church, Baker, Oreg., another minister of splendid training and wide experience, pays his tribute to Potomac under date of May 1, 1928, in this language:

"MY DEAR SIR: I have your letter with reference to Potomac University, Washington, D. C., and also inclosed letter of Doctor Porter to you. I have carried on studies through Potomac for at least one year and one-half. I hold no degrees from Potomac, but that is not the fault of the institution. I did not have the time to give to their demands. The work completed was very, very satisfactory. I have studied in a number of schools and am a graduate of the Western Theological Seminary, Pittsburgh, Pa., with degrees of S. T. B. and B. D. (Presbyterian school). The work of Potomac which I carried on was as difficult and carefully supervised. Nothing was carelessly gone over. They insisted on the right kind of research in all departments. I wonder if the people at large really appreciate the extension institution. I know of hundreds of clergymen who are eager to do consistent work at home. They do not have the money to attend "in residence." Unfortunately, they have had no advantages in earlier years to proceed with an education as given by a university. Such men are deserving of no little consideration. There are many extension schools which ought to be wiped off the map. As of yore, the innocent must suffer for the guilty. All I know of Potomac is that the studies outlined for me were of the very best. The work was done faithfully. Doctor Porter and those with whom I worked were rigorous in their demands. No examination was written without the presence of some educator, who opened the paper and sat with the student as he wrote. As far as I am concerned, I do hope such an institution be given every consideration, as I feel it is doing a good work.

"Very sincerely,

"Rev. JAMES A. FRASER.

"MAY 1, 1928."

The next message is from the Rev. H. F. Rhoad, M. A., D. D. (Lebanon Valley College), Ph. D. in religion (Potomac University), pastor of the State Street Church of the United Brethren in Christ, Harrisburg, Pa., who describes the method of instruction, pays his tribute to the faculty and the thoroughness of the work done in the following letter bearing the date of April 27, 1927:

"SIRS: In answer to your inquiry of April 24 concerning Potomac University, I am glad to give the following testimony as my honest conviction:

"For at least 10 years I had been trying to find a school that gives correspondence work that would be a credit to me when I got the degree. It is easy to find schools that you could get those degrees from for very little work, but this was not what I wanted. I therefore looked carefully into the work of Potomac University before I matriculated for work. I was favorably impressed with the following:

"First. Their plan for study. I have studied about 50 books in my course. The plan is such that in each book there is required a certain amount of recitation work that, to my mind, is very thorough and satisfactory. The method by which the examinations are given aside from the recitation work is fair. The questions are not sent to the student direct, but to a supervisor, who is known for his integrity and intelligence in the community. He is not allowed to open the questions until the applicant is ready for the test. With the test questions comes a printed form for the supervisor, on which he must testify that the test was taken honestly and the time that the student took in answering the questions. The supervisor mails the answers to the professor in charge of that study. This it seems to me is very satisfactory.

"Second. I was impressed with their faculty. They are scholarly men, who mean to uphold a high scholarly standard for the educational work of our country.

"Third. I want to give my testimony that the work was done faithfully as outlined in the course of study. The nature of the work is such that you simply can not rush through with it. I took a four years' course, but I had to spend seven years to do the work, and then had to utilize all my vacation times to get through with it. It is thorough.

"I hope that there may be an amendment so that schools of this sort may continue their work, for they are a great help. If I can be of any further service, it will be a delight for me to render it.

"Sincerely,

"H. F. RHOAD."

The Rev. R. Fletcher, M. A., B. D. (Yale); S. T. M. (Hartford Theological Seminary); pastor of the Congregational Church, West Cornwall, Conn., and a graduate of five well-known institutions of learning, gives the following testimony in his letter of May 1, 1928:

"DEAR SIR: Your letter has been forwarded to me at this address and I reply at once with pleasure to your request respecting the class of work done at the Potomac University, situated in Washington, D. C.

"I may say in passing that I am a graduate of the Paton College, England, of the Chicago Seminary, Chicago University, of Yale University, and of the Hartford Divinity School. I hold B. A., M. A., B. D., B. D., S. T. M. conferred by these schools of learning. I am now on the professional staff of Columbia University, serving in its extension department as adviser in the home-study work, and I have perfect knowledge of the value, requirements, and what makes for real efficiency in study of this order. I have also taken work in home study at the Potomac University and I can speak with first-hand knowledge of what this study demands, both of the student in his home, of the teacher who instructs, and of the institution through whose instrumentality both operate.

"And in my judgment the work done at the Potomac University is of a very high order—well planned, well conducted, and creditably staffed with instructors of reputed scholarship. The work is prosecuted on the most approved pedagogical lines. As in all such institutions, written matter is placed in the hands of the student equivalent to the lectures given in residence, supplemented by well-chosen textbooks and collateral reading, upon all of which the student is required to furnish written matter covering the accustomed quiz given in residence study. This written work of the student enables the instructor to see the progress made and correct errors in the work. Then a written examination, supervised by a competent person, approved by the university, who will sign a declaration that no help was given the student in the examination, is required on a set of questions covering the subject in hand, set by the authorities in the university. These examinations are as searching and thorough and pass marks as high as any given in Chicago or Yale Universities. There is no way by which any person can obtain pass marks in the Potomac University except on merit. The standard of the work is high and the student must honestly work to win credits in this school.

"Of President Porter I have formed a very high opinion. He is a fine educator and a man of commendable honor. I am sure he would not remain at the head of an institution that was below the standard of present-day requirements in education.

"Thank you, dear sir, for giving me a chance of saying what I can truthfully state on behalf of a deserving school. There are many in our land I would not take all the wealth of Washington and say of them what I have herein said of the Potomac University.

"Very sincerely yours,

"R. FLETCHER."

The next letter comes from the Hon. George P. Blackburn, M. A. (Potomac University, 1909), Paris, Tex., judge of the sixth judicial district court, who did work at Potomac in the early days of the institution, and speaks of its present value after more than two decades in his letter of May 13, 1928—

"DEAR MR. NELSON: I have the honor to acknowledge receipt of your letter in regard to the Capper bill, the Gibson bill, and Potomac University. Your request that I at once give you a plain and truthful statement of the work carried on by Potomac has my careful attention, as has also your request for me to say frankly whether I have any knowledge whatever of anything done by Doctor Porter or his colleagues of which there could be any just public complaint.

"In my opinion the work done by Potomac in its extension courses is honest, thorough, and in every respect worth while. This institution gives real instruction of high grade and requires real attainment on the part of its students before degrees or diplomas are granted.

"It was my good fortune to do some work under the direction of Doctor Porter and his faculty a long time ago; it was perhaps in 1906, or thereabouts. My circumstances were such that it was financially impossible for me to push my studies further in residence at that time. The work was splendid, in every way worth while, and I continue to profit from the courses prescribed to this good day. Since the time I had this work in Potomac it has been my good fortune to have conferred upon me the A. M. degree of two recognized institutions which do only work in residence; also the LL. B. from one of the oldest law schools in the South; and in addition spent two years as a professor in one of the growing universities on the west coast; in the light of this experience it seems to me that the courses given by Potomac are on a par with that required for similar honors by the older and endowed institutions.

"As throwing light upon my reasons for my high opinion of Potomac, it might not be amiss to say that I, in taking my courses in this school, overlooked one subject in some way or other. I went to Washington from Texas to receive my diploma. Upon my arrival there it developed that I lacked one subject of having completed the required course. The tuition had all been duly paid, and if this school had been a diploma mill it appears to me that Doctor Porter could have gracefully smiled, waived the one subject, and given me a diploma. He was sympathy itself, but he and the professor teaching that course required me to complete that extra course there in Washington (without one cent of expense to me) and to pass a written examination on the subject before the diploma was granted. This surely was not the action of one running a "diploma mill," but was rather that of a real school man with ideals to preserve, a real educator with high standards of his institution to be maintained.

"One of our most revered Texas educators, Dr. W. L. Mayo, the founder of our East Texas State Teachers' College at Commerce, Tex., was wont to recommend that his advanced students who were unable to continue their studies in residence should take courses under the guidance of the Potomac faculty. And Mayo was a man who hated sham, hypocrisy, and pretense in all its forms. I am sure that Potomac, in his estimation, did splendid work, or he would not have had this attitude toward the school. Prof. B. L. Phipps, one time professor in Mayo's school and later president of our Grayson College, himself took some work in Potomac and highly recommended the courses to his advanced students. Doctor Mayo is now, unhappily, deceased, and I have lost trace of good Professor Phipps, but Hon. SAM RAYBURN, one of our Texas Congressmen (and we think he is a good one, too) knows both of these great men, and I believe he will be with you in your fight for Potomac.

"In my opinion Potomac has a unique and necessary place in the broad field of education. I hope that in the event the bills of which you speak become law that Potomac will be suitably and fairly protected. Personally I boast of some acquaintanceship with Doctor Porter, and I believe him to be a real scholar, a good man, and an honorable gentleman.

"Please let me thank you for your efforts in Potomac's behalf. Our entire citizenship appreciate men like you in public life.

"Very sincerely yours,

"GEO. P. BLACKBURN,

"*District Judge, Sixth Judicial District of Texas.*"

Rev. Perry F. Haines, pastor of the Methodist Episcopal Church, Tidioute, Pa., presents a different viewpoint as he speaks of the practical values of the Potomac courses in his pastoral work in his letter of April 27, 1928:

"MY DEAR SIR: Your letter in regard to Potomac University and Dr. Ernest W. Porter, its president. In addition to what I will say I am inclosing a number of letters which I received from former students. I will greatly appreciate it if you will return the letters to me. I prize them highly, as I did not take up work with this school until I had thoroughly investigated it. These letters, along with some others, proved to me that Potomac was all and more than she claimed to be. Please notice that these letters are from college men who are teachers in colleges.

"Dr. Ernest Porter and Potomac University are a God's blessing to many men like myself who have not had the opportunity in early days to go away to school. As a young minister I saw my need of better preparation. I have studied with this school off and on since 1921. Owing to poor health I could not keep at my studies long enough to get my degree, and I want it understood that no one can get a degree from this school unless he works. In every subject I was in direct communication with my instructor. I am safe in saying not a paragraph of any book is missed, which you can not say about classroom work. I have tried both kinds of recitation.

"After a thorough study of any subject along with the research work outlined by each instructor, I then went to the principal of my own city school and was obliged to take an examination in the subject from questions sent to him by my instructor, which questions the professor nor myself never saw before.

"I never studied language in my early days, but under the capable instruction of Dr. P. E. Osborne, of Potomac, I learned the Greek language and am able to use my Greek Testament in my pulpit with greater ease than many of our men who have graduated from Garrett Biblical Institute, Drew Seminary, and many others. I was obliged to maintain an average of 90 per cent in all my Greek recitations or it was returned until I reached the proper grade. Had it been easy to get degrees from this school I would not have broken down from hard study and would have had my degree by now; as it is I have studied since 1921 and must take about a year's work before I will get my B. D. degree. This letter comes from one who knows exactly what he is talking about and exactly what Potomac University is doing for deserving men.

"I came to this charge six years ago at a salary of $1,400 a year. Potomac University has increased my efficiency or value to people that my salary has been raised to $2,600 in the six years. Dr. Ernest W. Porter and his school and instructors shall never receive anything but praise from me. They are doing far more than their catalogue claims.

"Sincerely yours,

"PERCY F. HAINES."

The next letter to be read comes from the Rev. James A. Leslie, B. A. (McGill University), B. D. (Potomac University), pastor of the Presbyterian Church, Ashcroft, British Columbia, Canada, and is a specimen of the tributes paid by Potomac's alumni in the Dominion. Mr. Leslie, who is now working for his M. A., writes as follows under date of April 30, 1928:

THE MANSE,
Ashcroft, British Columbia, April 30, 1928.

Hon. JOHN M. NELSON, M. C.,
United States Capitol, Washington, D. C.

SIR: Your letter with inclosure in connection with the work done in Potomac University duly received. In reply I may state that I took a course of study under the direction of the faculty of Potomac University. I had to analyze six books in literature, psychology, and theology. To take six written examinations under a personal examiner who sealed the papers and mailed them to the university. I also wrote a thesis of 5,000 words which entailed reading many more books than those prescribed by the president.

My collegiate work was taken at McGill University, and theology at the Presbyterian Church College, Vancouver, British Columbia.

I consider that the work which I did for Potomac University required as much application and thoroughness in study as when I was taking lectures and writing examinations at the above-mentioned institutions.

I heartily commend the good work which Potomac University is carrying on among those who desire to pursue their studies in extension.

I trust that President Porter and those associated with him in the work of the university will receive the cordial support of all lovers of liberal learning. I have the honor to be, sir,

Your obedient servant,

JAMES A. LESLIE, B. A., B. D.

The Rev. William H. Longsworth, M. A., 1914 (Potomac University), minister of the great First Congregational Church, Canton, Ohio, writes as follows under date of April 29, 1928:

FIRST CONGREGATIONAL CHURCH,
Canton, Ohio, April 29, 1928.

Mr. JOHN M. NELSON, M. C.,
Washington, D. C.

HONORED SIR: Your inquiry about Potomac University. I have taken work with Potomac on two occasions. I have considered the work most thorough and satisfactory. I hold a B. A. from Lafayette College, B. D. from Yale, and for years each winter have taken work in some college or university that I may keep up with my profession.

The work at Potomac I have felt more satisfactory than any other school. They demand hard work; your papers are returned severely criticized and often graded quite sharply.

Very sincerely yours,

W. H. LONGSWORTH.

The Rev. A. W. Climenhaga, B. A. (Taylor University); Ph. D. (Potomac University); dean of Messiah Bible College, Grantham, Pa., makes this strong comparison and pays this splendid tribute to Potomac in his letter of April 25, 1928:

"DEAR SIR: In my educational work I have taken resident work at John Fletcher College, Iowa; Taylor University, Indiana; University of Pennsylvania, Philadelphia, Pa.; and Columbia University, New York. I have taken extension work from Potomac University, Washington, D. C., and Chicago University, Chicago, Ill.

"I found Potomac work equal to any of these schools. In fact, I did harder work under the faculty of Potomac than I did in residence in the other universities for the same amount of credit. The examinations were carefully supervised. In no case did I know what the questions were until I was ready to write.

"I personally know eight other parties who have studied with Potomac University and I never learned of any unfair methods being used by Mr. Porter and the university faculty.

"Potomac University gives opportunity to many an individual who would otherwise be kept from a university training.

"Yours truly,

"Rev. A. W. CLIMENHAGA, Ph. D., *Dean.*"

The words of a graduate and instructor in Potomac are given in this letter of the Rev. Delos E. Abrams, S. T. D., pastor of the Southside Baptist Church, Hornell, N. Y., under date of April 27, 1928:

"DEAR SIR: Yours with reference to Potomac University is at hand. It opens a big question. I know that there is much opposition to the conferring of degrees by correspondence schools, but for the life of me I can not see that there is anything sacro-sanct about the place or the method of getting knowledge so long as it is obtained. The opponents of the correspondence method of instruction evidently think otherwise, though they will not admit it.

"I have been connected with Potomac University both as student and instructor, so somewhat of its standards are personally known. First, as a student. Having graduated from the theological department of one of our grade A universities I knew something of residence work and its standards. Potomac met my expectations as to scholastic requirements. Nothing was made easy for me, and I was never for an instant left with the impression that degrees could be obtained for anything other than work done. In my own work, which I stretched over a period of three years, I was required to write the equivalent of about five volumes of 300 pages each. So far as the quantity or the quality of work done, I am not ashamed of my degree from Potomac. It represents work honestly done.

"With reference to my work as instructor. I was given absolute freedom. It was my purpose to put the work on a par with that done in residence schools, and I was given every encouragement and assistance to this end. Some students objected and were dropped from the courses. One of my examination papers was submitted to a former professor of mine who had taught the same subjects. He said: 'If this is what you require of all your students, they are entitled to academic credit.' Well, it was. I tutored for a professor in one of our good colleges in this State. When the time came to examine the student he asked me to prepare the questions, which I did, using the same questions as were used with correspondence students. He told his student that she need answer only half the questions submitted.

"So far as I know the same standards were in effect in the other departments. This is the truth so far as I know it.

"I have the honor to remain, sincerely yours,

"DELOS E. ABRAMS."

Principal John B. Cook, M. S., LL. D., of Vermont Academy, Saxtons River, Vt., writes the following under date of April 26, 1928:

"MY DEAR MR. NELSON: I appreciate deeply your letter of April 24, and I am glad to respond by saying I have known of the work of Potomac University for a number of years. I have taken a number of courses through this school, and I can not understand why anyone should complain of the work being done.

"The courses I have taken have been the most complete and most satisfactory of any I have had, and I have done work with Bucknell University for master's degree and graduate work with the University of Pittsburgh, besides in my relations with other people doing graduate work through correspondence have come in contact with extension courses from the teachers' colleges of Pennsylvania and Chicago University, and the courses of Potomac University compare very favorably with these.

"I know there is a certain amount of jealousy on the part of schools requiring resident work, but it seems to me this is an opportunity which should not be denied ambitious men and women whose time must be given in a large measure to the support of themselves and their families. To my mind such work of such an institution is most commendable.

"This school requires a certain amount of ground to be covered and a certain grade of work to be done comparable to the best institutions of our country, but they give students unlimited time to cover the ground. This, as I see it, is a godsend to the men and women of our country who are anxious to succeed and to improve themselves in the educational field, but who can not leave the field in which they are engaged.

"Allow me to add I knew a lady, our dean of women at the academy, for a number of years who wanted to complete her work for an A. B. degree. She went over her record carefully with President Porter of Potomac University and found she could get her degree by taking less work in Chicago University, therefore went there to complete the same.

"Sincerely yours,

"JOHN B. COOK."

Dr. Romaine F. Bateman, Th. D., pastor of Trinity Baptist Church, Jersey City, N. J., makes the following significant comparisons and gives this convincing testimony in his communication of April 27, 1928:

"DEAR SIR: Your communication reached me to-day concerning the Potomac University, and I hasten to reply. I gladly submit the following statement:

"First, perhaps I should say that I have actively engaged in the cause of religious education for the past 12 years. I have held many responsibilities in connection with denominational and institutional educational enterprises. I am at present a member of two seminary faculties, one in New York and the other in Philadelphia. The above experience gives me a judgment which should be both practical and trustworthy.

"I have been a student of the Potomac University, and I have found the work they give to be of the highest standard. But for the fellowship of the classroom and campus, it equals the residential university. The textbooks were standard works and the accompanying

syllabi required good, hard work and the returned papers, well marked throughout with red pencil, showed a careful examination by the teacher. This means something for correspondence schools, as anyone familiar with them will know. The examinations were required to be taken under a competent and foreappointed supervisor, and the length of the courses were practically that of the resident university. The honest pursuing of the Potomac curriculum leads, beyond doubt, to high scholarship, and their graduates can stand with those of leading universities without suffering in comparison.

"There is another matter I should like to touch upon in this connection. I have made a special study in the last two years of classical and theological subjects taken in absentia, and I unhesitatingly put the Potomac course at the head of my grading. The course of study in absentia offered by Chicago University and Columbia University is not equal, in my mind, to the Potomac course. The two great universities named by me have purposely and cruelly limited their correspondence courses so that they might not encroach upon or replace their residential offerings. A leading university professor to whom I was speaking recently admitted that the issuing of degrees for correspondence work, even though done as well as in residence, would hurt the residential side of the universities just now. But this same professor told me that the time was near when degrees will be granted by the larger universities for work done extramurally, beginning with specialties and holding arts and theology as far off as possible.

"I have studied the systems used by the International Correspondence School and the La Salle Institute, and I feel that the Potomac is far ahead of any correspondence system for thorough instruction in every way.

"Finally, let me say that I freely write these lines as the firm conviction of my mind. I have never met Doctor Porter, but have merely corresponded with him. I have never completed any course with Potomac nor received any degree from them, nor do I anticipate any. Doctor Porter knows that I am interested in educational development and thus gave you my name.

"Trusting that the above will be useful in some measure and not a burden, and please remember that I shall always be happy to serve you in the good work you are doing for the education of all. You have my prayers and good wishes.

"Sincerely yours,

"R. F. BATEMAN."

Mr. Allan E. Shubert, manager of the Religious Press Association, Philadelphia, Pa., the outstanding advertising medium of religious periodicals in America, wrote Congressman NELSON (April 28, 1928) as follows:

"MY DEAR MR. NELSON: In response to your kind letter of April 24, I am very glad indeed to write assuringly as to the Potomac University of Washington, D. C.

"Through our various publications during a period of years we have directed literally hundreds of students to them for extension work. While their work is practically all carried on by the correspondence method, which occasionally fails to hold a student, even though the course be above reproach, we have had not a single unfavorable letter from any of these subscribers in reference to Potomac University. Several have gone out of their way to thank us for whatever part we have had in influencing them to enroll with the Potomac University.

"I am sure that you are making no mistake in pushing your amendment to the pending bill now before the House of Representatives. Anything that would hamper the progress of the Potomac University would be denying hundreds of eager adults the privilege of extending their education.

"All of those associated with the work here are sincerely appreciative of your efforts in this cause of fairness.

"Very truly yours,

"THE RELIGIOUS PRESS ASSOCIATION,
"ALLAN E. SHUBERT."

Rev. Ira Tapper Hawk, B. A. (Iowa University, 1899); B. D. (Yale University, 1905); pastor of the Rock Spring Presbyterian Church, Atlanta, Ga., whose striking testimonial is characteristic of this energetic pastor, writes as follows (April 30, 1928):

"MY DEAR SIR: Replying to your favor of the 24th instant, re Potomac University, let me assure you of my unqualified indorsement of the work accomplished through its correspondence courses. I have been taking the work for several years. On account of other duties and interests a course leading to the degree of Th. D. has not yet been completed. It has been my fault alone, for I have not completed the required subjects.

"When I first took up the work it was with the written agreement that if I was not satisfied with the work as being equal to that of Yale or any other standard university I might drop it at any time. I am an alumnus of Iowa University and of Yale Divinity School, and I assure you that the work has been as thorough as in either of these institutions.

"The one criticism that I have felt to hurl against the instruction of Potomac University is that I felt I had been doing so much work for the degree. I have written reams and reams of lessons in the course of my work. Still this has been of great profit to me. It has caused me to dig out of a prescribed textbook much more than I would have done in my ordinary private study. In consequence, it is noticeable that my preaching improves in direct proportion to my application to the correspondence studies.

"You have my sincere approval of your efforts to safeguard the good name of Potomac University. In case a fuller statement of work done is required I shall take pleasure in writing more at length.

"Most sincerely yours,

"I. T. HAWK,
"Iowa, 1899; Yale, 1905."

So I might go on reading almost ad infinitum from the more than 300 letters I have examined within the last few weeks, but I must close this line of testimony by reading the following night letter addressed to the Hon. F. N. ZIHLMAN, chairman of the Committee of the District of Columbia, before whom the hearings on the degree-conferring bill were held. The message follows:

BROOKLYN, N. Y., *April 25, 1928.*

Please give full consideration to the following letter Hon. JOHN M. NELSON, Member of Congress, third district Wisconsin, House of Representatives, Washington, D. C.:

"DEAR SIR: I acknowledge receipt of yours of the 24th instant in re Potomac University in connection with Senate bill No. 2366. In reply I want to say that I regard Potomac University as an institution whose graduates may well point to it with credit and pride. Likewise I unhesitatingly state it as my opinion that Doctor Portor, its president, is a man of highest type and ideals and one whose life is earnestly devoted toward aiding those to obtain an education where personal attendance is impossible. I have taken the complete law course of Potomac and found it very satisfactory and all that could be desired, and I am sure a comparison of the course and method of instruction with that of other institutions will show that it matches them if, indeed, it does not excel them. I heartily indorse every effort to stamp out fraudulent institutions, whether educational or otherwise. There seems to be a prejudice in certain channels against giving courses in absentia, but I fail to see any legitimate basic ground to warrant it if given by a reputable institution. If I am not in error, no less an eminent institution than the University of Wisconsin first inaugurated the plan which proved so successful that it was copied and adopted all over the Nation as well as abroad. None, I am sure, will question the integrity or judgment of the distinguished Chauncey M. Depew, and he it was who thought so much of the plan of extension courses that he headed, I believe, Intercontinental University, of Washington, D. C., and I recall having been written to by this institution to enroll in its extension courses. Again, the University of London, England, some time ago wrote me inviting registration in its extension department and such other.

"Creditable institutions as Columbia University, Chicago University, and the University of Indiana, as well as many others, have adopted the extension system of instruction and education, indeed they have written me inviting enrollment. Surely that is evidence enough and eloquent tribute to its need and usefulness, surrounded with proper safeguards, whereby fraudulent institutions will be suppressed. Such courses are beneficial to those who can not secure education by personal attendance, and these courses should be encouraged by all means rather than suppressed. Education and enlightenment should not be circumscribed, but should be made obtainable to all, to my way of thinking. The extent of an institution's usefulness should be gauged not by the size of its endowment and its splendid structures but by the nature and completeness of its courses and the methods of instruction employed. Knowledge, not money or bricks, should be the fundamental factor of consideration. I am proud of Potomac as my alma mater, and my earnest hope and prayer is that its existence will be continued to the end that its usefulness may continue forever. What Webster said of Dartmouth when a somewhat similar assault was made upon its existence is equally applicable here, 'She is a small college, but we love her.' With assurance of highest esteem,

"Yours very respectfully,

"J. G. M. BROUNE, LL. B."

After reading and carefully weighing this mass of positive evidence to the amazing work done by Potomac University, Congressman NELSON declared his conviction that Potomac University is to-day the foremost exponent of the university extension method of teaching in America, and that it exemplifies the highest type of extramural education in existence, and that he considered it his public duty as a legislator and friend of higher education to do all in his power to foster and encourage all such institutions of learning within the limit of the constitutional provisions relating to education.

Being thus overwhelmingly convinced of the worthiness of this institution, Congressman NELSON appeared before the House committee and asked a rehearing on the proposed bill in order that he might lay before them this mass of evidence and propose such amendments as would safeguard Potomac University and institutions of like character, and guarantee their freedom from interference in the prosecution and extension of their work. Such hearings were held on April 18 and

May 2 and 4, 1928, in the House Office Building, Washington, and are recorded in the official congressional hearings on H. R. 7951.

The result of Congressman NELSON'S convincing presentation of the evidence was the unanimous vote of the committee on May 4 to incorporate the amendment proposed in behalf of the Potomac University and report the amended bill favorably. However, on account of briefs being filed in Congress showing the bill to be unconstitutional, no further action was taken on it. The Potomac University goes forward, therefore, to a glorious future, and its friends may well look for increased usefulness of the institution in its chosen field of Christian education.

My attendance on and participation in the last two hearings before the House committee, together with my analysis and study of the letters received, has deepened certain convictions regarding the character and work of Potomac University which have been growing upon me during my acquaintance with the school. To the consideration of some of these I now invite your attention. For the sake of clarity I will state them in the form of propositions and read extracts from letters received within the past month bearing on the same.

I. THE POTOMAC UNIVERSITY IS TRUE TO THE FUNDAMENTAL TEACHINGS OF THE BIBLE

Potomac University is a positively Christian institution, standing foursquare for the Word of God, pledged to the infallible teachings of Jesus Christ and His prophets and apostles, and loyal to all the teachings of the Bible, which is the center of all her activities.

The school specializes in education along strictly evangelical lines for clergymen, church and Sunday-school workers, and directors of religious education by the university-extension method without the necessity of leaving one's usual employment.

The majority of students pursuing studies in the school are pastors who have come, in maturity of life, to realize the need of a more efficient personal ministry and for suitable preparation educationally to adequately enable them to meet the exigencies of an age of doubt. The trustees and faculty offer, as the valid doctrinal basis of the instruction, this formula:

God the Creator of the universe; a personal devil; man a product of direct creation; the fall of man through transgression; justification and salvation through faith in Christ, the only begotten Son of God; the miraculous birth of Christ, His sinless life, His vicarious death, His bodily resurrection, and His triumphal return; the Holy Spirit as the third person of the Trinity; and the Bible as the supernaturally inspired Word of God.

(The trustees, governors, officers, and faculty shall subscribe to this declaration before entering on their duties and annually thereafter.)

In the Potomac system of instruction the student is conducted through searching courses in the history, interpretation, and doctrine of the Bible; in Biblical and systematic theology; homiletics; religious pedagogy and Sunday-school methods; New Testament Greek; evangelism; Christian evidences; comparative religions; and missions. This theological instruction is supplemented by fundamental studies of a cultural nature, as: Biology, upon which we base our interpretations of life; psychology, the basis of teaching; economics, that we may know something about money, employment, unemployment, and the production, distribution, and consumption of wealth; sociology, the science of human relations; history, because we can not understand the present apart from the past; the English language and literature, that one may know the tongue in which he is to speak to his fellow men; and public speaking, that one may become an effective, pleasing pulpit orator.

The purpose of this program is twofold: First, that the student attain a practical working knowledge of the Bible and its doctrines on sound, orthodox, evangelical lines through a progressive presentation as given by the world's foremost Christian scholars; and, second, that the entire education of the student be so rounded and directed in proper channels that he become a safe guide in whatever field of Christian work he may engage. This educational doctrine has been thoroughly tested and its expediency amply proved during the past quarter of a century by its large enrollment, the words of approval from those who have studied with the school, and the benefits and progress of the students.

The Potomac system of instruction is unexcelled. This is the experience and the testimony of students and graduates. The school has provided the means for those who have to work in the vineyard of the Master to receive adequate preparation to become successful Christian workers, by a standardized system of teaching equal to all essential educational qualities, to residence work, the courses being based on biblically sound textbooks of the highest standard, systematically arranged and directed by correspondence under thoroughly trained teachers of wide experience and deep sympathies. They include great series of most exhausive analytical and research questions covering every detail of the textbooks and assigned collateral reading, and instructor's syllabi which must be mastered by the student and the recitation work successfully passed before the written examinations can be taken. Each part in the Potomac system of instruction must be mastered before the student is permitted to go on to the next. Thus the thoroughness of the work is safeguarded.

These study courses are thus designed to promote effective Christian work along strictly evangelical and orthodox lines, and are the contribution of the institution to adult education and the extension of the Kingdom of God. Proper academic recognition is accorded at the close of suitable courses of study, which acts in a twofold manner: First, as an incentive to earnest, intensive, and prolonged study along definitely prescribed lines; and, second, as a reward therefor, the university in such recognition marks out a definite standard of attainment in Christian scholarship for the graduate. Thus in a very real and true sense the Bible college with all its advantages is brought into the home of each student, and all of its instruction stands squarely on the impregnable rock of Holy Scripture.

Innumerable testimonials to this have come to the university in the letters of students and graduates. From these I have time to quote but two:

Rev. John J. Van Gorder, pastor of the First Baptist Church of Butler, Pa., writes: "This sane, constructive course is needed to-day as never before. I know of no school at present doing the work in this line that Potomac is doing"; and

Rev. S. A. Tamblyn, Fort Sumner, N. Mex. (April 28, 1928), says: "Potomac University is one of the very few sound theological institutions requiring a high standard of work at present existing in the United States of America, and it would be a great loss to this country if it should cease to carry on its splendid work. And its president, Doctor Porter, with the other members of its faculty, comprise a force from the point of scholarship alone under which any man may well be proud to have studied. May God bless Potomac and may its shadow never grow less."

The second proposition I desire to enforce is the fact that—

II. THE POTOMAC UNIVERSITY FACULTY IS ONE OF SUPERIOR SCHOLARSHIP

When one contemplates the unusual courses offered in and aims of Potomac's system of instruction he naturally asks about the scholarship and ability of the instructors. Regarding the scholarship of the faculty, scores of testimonials have been given and students and graduates have but to recall the red or blue pencil marks and fractional percentage marks in their corrected research and examination papers to be reminded of the exactness with which their work was graded, while the realization of the facts that on the faculty are graduates of Yale, Taylor, Maryland, Illinois, Wesleyan, Colgate, and Potomac Universities; Ursinus, Davidson, Albright, and William Jewel Colleges; and Ursinus, Union (Richmond) Episcopal, Newton, Southern Baptist, Colgate, and the Seminary of the Reformed Church (Lancaster), and that these instructors came to Potomac with the practical experience gotten from years of teaching and imparting of knowledge to others, fully warrants such tribute as those given in the following extracts from letters received within the past month:

Gladys Potter Williams, professor Southern Illinois State Normal University, Carbondale, Ill., writes (April 26, 1928):

"I am hastening to say that I did more than 50 hours of work with the Potomac University and found the work exactly as represented. There was never any slighting of the courses planned. Doctor Porter was rigid in all of his requirements, as were his faculty. I felt that my studies were being pursued under the guidance of superior scholarship and that the faculty were very exacting in demanding a high grade of work."

The Rev. Charles G. Johnson, Ph. D., pastor of the Congregational Church, South Coventry, Conn., writes thus to Hon. JOHN M. NELSON:

"MY DEAR SIR: Your letter in regard to Potomac University came to my notice to-day (April 28, 1928). 'As a former student of the Northwestern University, Boston University, and having received the degree of Ph. B. from Taylor University, I wish to state that I gained more knowledge from the Potomac University course than the above institutions. I found the requirement high, the rating on examinations fair, and honest work demanded under supervision; also that the faculty and president were well qualified for their task. There is one thing it lacks, however, and that is adequate funds for its expansion. It is hoped that some day it may have larger means to meet its demands.'"

Charles M. Jones, supervising principal of the Taylor County high schools, Perry, Fla., says, under date of April 30, 1928:

"I am a graduate of Western Kentucky State Normal, Potomac University, and University of Chicago.

"I consider the services rendered at this institution (Potomac University) to be high grade and faithfully done."

Rev. Eric Herman Carlson, M. A., Ph. D., Lutheran Church, Villa Olivia, Porter, Ind. (May 5, 1928), says:

"I can not speak too highly of the inspiration received from my textbooks, from the written work, and from the comments and corrections by the Potomac University teachers. So great was the pleasure in this study and correspondence that when I finished the course in 1926 I felt as blue at parting with my teachers as if I had been in actual attendance. I would gladly have gone to Washington for my final examination had such request been made.

"My experience with the faculty of the Potomac University places the Potomac University on a level with any educational institution that

I have had the privilege to know. In written work, as carried on with questions and answers, there can be neither favoritism by the instructors nor bluffing by the students. Nor need there be a single hour wasted in waiting. In my case answers were mailed and within a few days were returned corrected. The beauty of it is that in correspondence work a student can concentrate on one subject until the final examination on that one subject is taken."

Several have paid their tributes to the work required by the faculty in language similar to that of the Rev. I. T. Hawk, of Atlanta, Ga. (April 30, 1928), which I repeat: "The one criticism that I have felt to hurl against the instruction of Potomac University is that I felt I had been doing so much work for the degree. I have written reams and reams of lessons in the course of my work. Still, this has been of great profit to me. It has caused me to dig out of a prescribed textbook much more than I would have done in my ordinary private study. In consequence, it is noticeable that my preaching improves in direct proportion to my application to the correspondence studies."

Rev. Alexander Laird, Litt. D., pastor of the First Presbyterian Church, Glassboro, N. J., writes as follows:

"I may say that in 1906 I took a very thorough and comprehensive course of study (correspondence) under the direction of Doctor Porter and his faculty for the degree in philosophy. I found their methods straightforward, their examinations of a searching and scholastic character."

Rev. P. E. Osborne, B. S., B. D., Ph. D., instructor in Potomac University, department of New Testament Greek, writes as follows:

"APRIL 28, 1928.

"My relations with Potomac University and President Porter in particular are such as to make me believe most thoroughly in the character of the work done under his direction as to its scholastic requirements, its honest and honorable support of high standards of education, the character and quality of the teaching, and the entire worth of the school to continue its granting of the degrees awarded for similar standards of scholarship by schools where the work is done in residence.

"As a member of its faculty for nine years, coming to it from other schools doing similar work, I have to say that it has the highest standards of any school with which I am familiar which do extension work, and, naturally, I am anxious to safeguard the standards of my own teaching by connection only with such a school. I know absolutely no reasons why its courses are not to be considered equivalent to the same work done in residence.

"P. E. OSBORNE,
"103 Ashley Street, Springfield, Mass."

Rev. R. G. Ulrich, a busy pastor in Lebanon, Pa., speaks of the helpfulness of his course and testifies thus to the work of his instructor:

"APRIL 30, 1928.

"Under the supervision of Potomac University I have been pursuing a course of study in New Testament Greek for somewhat over one year. All the work done has been by correspondence, according to their extension-department plan. I am happy to be able to testify that all my expectations relative to this course have been more than met. I have received most helpful training through this university. They have more than met all the promises made to prospective students. To state the results I have obtained very succinctly, I will say that with the training received and to the point of advancement I have reached I would be willing to enter a competitive examination on this subject with anyone trained anywhere."

Miss Kathleen M. Bull, A. B., a very successful teacher at Elmwood, Ill., gives a further testimony to the splendid work of this department when she says:

"APRIL 28, 1928.

"Concerning the character of work done by Potomac University, I am decidedly in favor of the amendment to safeguard its charter rights.

"In my Greek work with this institution I have been given much closer attention than ever by a busy professor at my resident college. I have understood the work more readily and, too, been required to do a higher standard of work. In my case the planning of the course to meet correspondence needs and the scholarship demanded in the student have been far above resident-college standard."

Walter R. Feser, a student in the Eastern Baptist Theological Seminary, Philadelphia, Pa., says:

"APRIL 28, 1928.

"During the years of 1925–26 I took courses of study with Potomac University in Greek, religious literature, psychology, and religious education. Standard textbooks were used, and when needed or desired supplementary information was given. The texts were carefully and thoroughly analyzed.

"Dr. P. E. Osborne, instructor in Greek, in his course with me, revealed himself as a capable instructor, thoroughly established in sound pedagogical principles and fully conversant with his subject. Due to the thoroughness of his work, I have been able to successfully follow an advanced course in New Testament Greek at the Eastern Baptist Theological Seminary. Examinations were conducted under most rigid supervision."

Miss Mary Olive Vaudry, of Lennoxville, Quebec, Canada, a splendidly trained and capable teacher, writes as follows, under date of May 3, 1928:

"It gives me much pleasure to reply to your letter of April 24, relating to Dr. Ernest W. Porter and Potomac University. I am a graduate of McGill University, Montreal, and received from that institution the B. A. and M. A. degrees. As I have chosen the teaching profession, it seemed an advantage to obtain the degree of Ph. D. also. After some correspondence with Doctor Porter and friends in Boston who knew of him and his work, I enrolled as a candidate for the Ph. D. degree nearly two years ago.

"So far I have found the course as stiff and thorough as any of the best universities that require personal attendance; also the work is done faithfully by the teaching staff."

Rev. H. F. Rhoad, Ph. D., says:

"I was impressed with their faculty. They are scholarly men, who mean to uphold a scholarly standard for the educational work of our country."

Rev. R. Fletcher, M. A., B. D., S. T. M., of West Cornwall, Conn., a graduate of Paton College, England; Chicago Seminary, Chicago University, Yale University, and Hartford Divinity School, and now on the professional staff of Columbia University, says:

"In my judgment the work done at the Potomac University is of a very high order, well planned, well conducted, and creditably staffed with instructors of reputed scholarship. The work is prosecuted on the most approved pedagogical lines."

The Rev. C. H. Monbleau, 10 Summit Street, Bristol, Conn., under date of April 27, 1928, says:

"My position with the school thus far has revealed that the members of the faculty are very faithful to their work and follow the courses minutely as outlined. They require a thorough knowledge of the subjects both during the written work sent them and the examinations."

Miss Loella M. Hobson, B. A., a teacher in the Frankfort Pilgrim College and Theological Seminary, Frankfort, Ind., writes as follows:

"I am glad as a student of Potomac University that I can testify to the high character of the work that is demanded by the instructors of that school.

"I have been a student in that school for three years. The work has been very exacting, thorough, and in some respects better work and more of it has been required by that school than some other schools that have a public rating and standing throughout the country. I have been a teacher in the public schools, also in the high school, and in more recent years in two colleges and I do not know of any better work being done than the work of like nature being done in this university. If any difference, the work is more faithfully done and of a higher order than one would suspect from the outline course of study. Without question it is helping many persons to get an education of a very high merit and the school should be safeguarded in its work."

From the many other tributes to the splendid scholarship of Potomac's faculty may I read but one other testimonial? Dr. Loren S. Minckley, M. A., B. D., Ph. D., head of the education department of Kingswood College, Kingswood, Ky., writes as follows under date of April 26, 1928:

"Having taken 30 hours' work in education with this institution for a doctor of philosophy degree we can say that we consider Dr. Porter and his faculty educators of the highest type. They are people who are very fair in their decisions, the work being done exactly as outlined in their catalogue. Sometimes we think, in fact, we know that the work is more thorough than some other universities which we have attended.

"We have taken 182 hours' work from standard institutions, which are as follows:

"'The Brockport State Normal and Training School of New York, University of Denver, Denver, Colo., and Kansas State University, Lawrence, Kans.

"'We consider the work done with Potomac University of equal value with that of any one of the above institutions, even with the old regent's system of New York State where we received our earliest and most lasting impressions.'

"Thus we bring to you some of the voluntary testimonials received from those who have come into closest contact with the members of the faculty and are therefore qualified to give fair and just appraisements of their scholarship and ability."

My third proposition is that—

III. THE POTOMAC UNIVERSITY SYSTEM OF INSTRUCTION IS THE EQUAL OF THE METHOD USED IN RESIDENCE IN THE BEST COLLEGES, UNIVERSITIES, AND SEMINARIES

Correspondence instruction is the great miracle of this century. A greater number of persons are studying by mail to-day than in all the residence institutions combined. For adults the system is ideal, because the average student will learn more in a given time by mail than in the resident class.

This statement is abundantly proven by the testimonials of scorces of persons in the various professions who have taken work in residence

in many of the best known and most highly rated institutions in our own and other countries, and have then taken postgraduate work in absentia with Potomac.

Believing that you would rather hear their actual statements than anything I may say of them, I pass at once to read some of the extracts which prove conclusively the truth of the proposition.

We introduce first the Rev. L. L. Gwalfney, S. T. D., editor of the Alabama Baptist, Birmingham, Ala., who writes as follows under date of April 28, 1928:

"I had five years in Richmond College (now the University of Richmond) and three years in the Southern Baptist Theological Seminary at Louisville in preparation for the ministry. But I declare to you that the year's work I did in the correspondence course of Potomac University was worth more to me than any single year I had as a resident student either in the University of Richmond or the Southern Baptist Theological Seminary of Louisville. It is with pleasure that I offer this sincere testimony if it is worth anything to you."

Dr. Lyman C. Pettit, pastor of the People's Presbyterian Church, Bridgeport, Conn., addresses the following letter to Congressman NELSON:

"ESTEEMED SIR: Replying to your letter of recent date in re Potomac University, permit me to say I spent 12 years in preparing for the Christian ministry in residence at preparatory school, college, and seminary, and when I came to pursue a course in absentia with Potomac University leading to the degree of S. T. D., I was greatly pleased with the high and practical standard of the course prescribed and the care and efficiency of Doctor Porter and his colleagues in directing the study and examinations. Neither in college nor seminary did I find the examinations necessitating a more thorough knowledge of the subjects than those with Potomac University. The rules governing the examinations are such that a self-respecting student has no cause for embarrassment. There is certainly a large field for the high standards of extension service in higher education and postgraduate work as conducted by Potomac University. Hoping to have given you the information sought, I am,

"Very truly yours,

"LYMAN C. PETTIT."

The Rev. T. P. Tribble, pastor of the New Antioch Baptist Church, of Chattahoochee, Ga., thus expresses his judgment of the work of Potomac:

"I have an A. B. degree from the University of Georgia; the master's degree in sociology from Oglethorpe University, as well as my master's degree in English from Potomac. I have also done work with University of Tennessee and the University of Chicago. My work at Potomac was on a par with the work that I have done at any of these places."

The Rev. E. J. Wolland, B. D., minister of St. Andrew's, St. Thomas, Ontario, and winner of the Calvin gold medal for honor work in theology in the Montreal Presbyterian College, says:

"I have been taking a course of study with the Potomac University for the past two years, and I have always found the work to be carried out most faithfully as outlined in their catalogue. I am a 1914 graduate of the Montreal Presbyterian College (which is affiliated with McGill University). I won the Calvin gold medal for honor work in theology and hold the B. D. degree from that same institution. The course of study given by the Potomac University is of a very high order, the examinations are conducted most carefully by qualified supervisors, and if I should be successful in carrying off the degree of Th. D. for which I am now working with them I shall feel that I have earned it by sheer hard work. The standard of the work demanded by the University of Potomac is equal, if not higher, than any of our best universities in Canada."

The Rev. James A. Fraser, B. D., Ph. D., pastor of the First Presbyterian Church, Baker, Oreg., says under date of May 1, 1928:

"I have studied in a number of schools, and am a graduate of the Western Theological Seminary, Pittsburgh, Pa., with degrees of S. T. B. and B. D. (Presbyterian School). The work of Potomac which I carried on was difficult and carefully supervised. Nothing was carelessly gone over. They insisted on the right kind of research in all departments."

Rev. William A. Sites, Latrobe, Pa. (B. D. graduate), says:

"In all of my scholastic work, which has covered a period of 20 years, I have never pursued a more thorough course."

Dr. W. E. Davis, pastor of the Baptist Church at Clifton Hill, Mo., writes as follows, under date of April 28, 1928:

"I want to say that the plans for work provided by Potomac University are as definite and extensive as those provided by the other universities for the same degree, with the exception that most institutions require that the student shall be in residence during a part of his work. After choosing my four minors for the work and they had been approved by the University, I began the study which extended over a period of four years and required three years of my effort. I found that each work had to be studied faithfully, and recitation work submitted on each guided by a syllabus submitted by the professor in charge. Then for the examination the questions were sent under seal to be opened only in the presence of the supervisor previously chosen by me and accepted by them when they were satisfied of his worthiness. The examination had to be written in his presence and at the one sitting. The paper was then turned to the supervisor, who sealed and forwarded it to the university. When the professor in charge had graded it the grade was sent to me. I certify on honor that each and every book of the full course was treated thus. In addition I was required to submit a 5,000-word dissertation at the middle half of my work and a 10,000-word thesis meeting the requirements of all institutions for a doctor's degree.

"While pursuing this course the faculty saw fit to strengthen some of their courses and one of them fell in my path. When I wrote seeking to hold them to their former acceptance they admitted that if I insisted they would be compelled to do so, but that they would be much better satisfied with my work if I would accept the strengthened program. I did it and continued my work, receiving my degree of Ph. D. in April, 1916. I was then at Clinton, Mo."

Prof. Elmer H. Webber, superintendent of schools at Mapleton, Me., a man of culture and wide experience, writes:

"Since receiving my A. M. degree from a Maine institution I have done advanced work in history under the direction of Potomac University. I have found the work as thorough and satisfactory as that done here in residence."

Rev. Hubert E. Cobb, Field's M. E. Church, North Olmsted, Ohio, says:

"I consider the work of Potomac University of a high order, and that it requires more mental effort than much of the resident college work."

Rev. J. E. Agans, pastor of the Church of God, Ossining, Ind., says:

"It is a pleasure to speak a word concerning Potomac University. I have just completed work with them for B. D. degree and can say that their standards are high and all things carried on in a very honorable way.

"I have a diploma from a Bible institute, Wilmington College, Wilmington, Ohio, and Lane Seminary, Cincinnati, Ohio, and I did no more consistent work in any or all of these institutions than I did in Potomac University."

Rev. A. W. Lindenmuth, Ph. D., pastor of St. Stephen's Evangelical Lutheran Church, Allentown, Pa., writes as follows:

"I am firmly convinced that the courses given and the work required by Potomac University stand second to none among educational institutions of our country, and in more than one case it ranks higher than that of any other institution."

Mr. N. A. Yeany, high-school teacher, Steelton, Pa., says:

"The course that I selected and the work assigned to me by correspondence (in Potomac University) was harder than any work I ever did in a classroom."

Dr. R. J. Murphy, pastor of the First Baptist Church, Johnson City, N. Y., another personal friend, writes:

"I am a seminary graduate and can honestly say that the work given by Potomac University is equal in value to the work given in resident seminary."

Miss Mabel J. Thomson, B. A., instructor in history in the Practical Bible Training School, Bible School Park, N. Y., says in her letter of April 27, 1928:

"I am very glad to make a statement regarding the work of the university. It was my privilege to see the work done by a teacher in our school which led to the degree of doctor of divinity. In every detail the work was faithfully done as outlined, and from my observation of the study courses, theses, and final examinations it seemed in every way more intensive and exhaustive in its scope than the work of the average college class. I have been taking a course myself since that time. It seems to me the work of this university is so valuable it should be safeguarded in every possible way."

Prof. Clinton J. Bushey, head of the department of biology and chemistry, Olivet College, Olivet, Ill., writes:

"At the present time I am enrolled as a member of the institution and the work expected of me is no way inferior to that expected in other institutions. Owing to the type of studies offered, there are necessarily methods used which can not be used in a school where residence is required. But this is no hindrance to the student who wants to get his studies. Residence does not guarantee scholarship, either."

Mr. David Levine, M. A., a successful teacher in East Orange, N. J., writes:

"In reference to the work carried on by Potomac University, I would very emphatically state that in my judgment the studies are equivalent in grade and character to any given at our larger universities where residence is required. May I here state that this is actual observation and contact through many courses taken in residence?"

Rev. Wallace H. Wotring, Ph. D., D. D., LL. D., pastor of St. John's Reformed Church, Nazareth, Pa., gives the following statement of his convictions borne of years of intimate personal relation with the university:

"I was graduated from Ursinus College and Theological Seminary and therefore received the best training that our denominational schools can give. It was after I had been in active service in life for a good many years that I took advantage of what Potomac had to offer. To me it was a new revelation and such a boon that I often wished that

men who can no more be resident post-graduate students knew of the thorough work done by this institution and thus bring themselves abreast of modern development in the field of knowledge. I have attended three institutions as a resident student in my day, and one of them granted me philosophic honors. None of them could be more thorough than Potomac, because it covers a subject like the shingles of a roof." (Written April 27, 1928.)

Rev. A. P. Logan, M. A., pastor of the Presbyterian Church of Bedford, Nova Scotia, writes as follows under date of April 30, 1928:

"It is untrue that degrees are issued by the Potomac University without proper work being done. I did the work and did it faithfully. I have passed a good many examinations and I saw no difference between the Potomac examinations and those of Dalhousie University, Pine Hill College, or Union Theological Seminary.

"I think the university is doing splendid work. I think that a person receives better mental training from that university than from the ordinary university because he is not rushed with his work and can therefore do it thoroughly.

"A. P. LOGAN,
"*M. A., Class of 1917.*"

Rev. J. E. Spencer, Ph. D., of Lake City, Iowa, writes:

"I am a graduate of Coe College, Cedar Rapids, Iowa, and of Omaha Theological Seminary, and have taken correspondence work with the University of Chicago before taking work at Potomac. My work with Potomac I consider on a par and in some ways excelled anything I got through other schools."

Rev. A. E. B. Blundon, B. A., Stittsville, N. Y., says:

"I have had the pleasure of attending four colleges and universities, both in Canada and in the United States, and as far as I can judge the work taken by me at Potomac University (by correspondence) compares with what I have taken in class at other institutions."

Melvin A. Saylor, M. D., of North Wales, Pa., says:

"For upward of 25 years I have taught in public schools, in colleges, and at present in a university. I am a graduate of arts and science, a class "A" medical school, and feel qualified to judge the standard of this institution. In my course I was strictly held to the work as outlined and I was compelled to complete it and submit a thesis before I received my degree, and I sincerely feel that it should receive and is deserving of support."

Ex-Judge Owen F. Renegar, A. B., LL. B. (Potomac University), lawyer of Oklahoma City, Okla., says:

"In regard thereto will say that it has been my pleasure to have been a student of Potomac University, and have taken considerable work with other institutions, and I prize my training, taken in extension with Potomac University, as the highest type of university culture."

Miss Ella A. Rust, B. D., of Worthington, Minn., says:

"The work required by the Potomac University is very thorough and must be done faithfully and well. The student is asked to finish satisfactorily every course as outlined by the school. If this work is not of a standard quality the student is asked to do it over again. To my knowledge no residence school is more strict in this regard than Potomac University, neither does any residence school require more work for degrees given. Students from other schools and I have compared our work."

The Rev. Herbert M. Pease, pastor of the First Baptist Church, Cooperstown, N. Y., a personal friend for more than a quarter of a century, writes:

"I have taken extension work with our regular theological seminary, but the work with Potomac was much more thorough in quality and more in quantity. I personally know two men who are on the teaching force, and both are able and conscientious men."

Dr. J. B. Cook, principal of Vermont Academy, Saxtons River, Vt., on April 28 made this significant comparison and declaration:

"The courses I have taken have been the most complete and most satisfactory of any I have had, and I have done work with Bucknell University for master's degree and graduate work with the University of Pittsburgh, besides, in my relations with other people doing graduate work through correspondence, have come in contact with extension courses from the Teachers College of Pennsylvania and Chicago Universities, and the courses of Potomac University compare very favorably with these."

Rev. S. A. Marks, pastor Baptist Church, Mexico, N. Y., writes:

"With regard to the standing of Potomac University, I consider that the courses and work of the university are the equal or peer of many of the universities or colleges which by their endowment are able to stand in the association. I have studied in McMaster University and in the Southern Baptist Theological Seminary, and feel that I can speak without prejudice when I say that the work of preparation, criticism, and examination are at least the equal of either. It requires a more thorough knowledge of the subject in hand to be able to pass the examinations required. It is a college through which a man on a poor field or with limited income may secure an honest, thorough, and constructive course of study."

Dr. William Liggett Dibble, minister of the First Congregational Church, Mason City, Iowa, writes as follows:

"When the Chicago Seminary discontinued its Ph. D. course, Doctor Gunsaulus advised me to get in touch with Dr. Ernest W. Porter and finish my reading under his direction. This I did, and read for about two years, and was greatly pleased—

"(a) By the books chosen.

"(b) By the outline of study furnished.

"(c) By the honesty of the work required."

"May 10, 1928."

Rev. Oliver E. Schaefer, pastor of the White Memorial Church, United Brethren in Christ, Buffalo, N. Y., writes this of his work with Potomac University:

"The character of the work compares very favorably with that done in the regular seminary which I attended. In the course on 'Problems of the Old Testament,' for example, there were 310 research questions to be written and corrected by the professor. The examination is taken under a selected examiner. In my case the examiner is the Rev. N. L. Linebaugh, B. D., of Buffalo, N. Y. He was approved by Potomac after an investigation of his educational record. The examinations are mailed to him and taken in his presence, then mailed to Potomac. I handle them only in his presence."

Rev. Isaac W. Grimes, B. A., B. D., S. T. D., Cambridge, Mass. (May 9, 1928), says:

"I was a resident student at Worcester Academy, Massachusetts, for four years; a resident student at Colby University, Waterville, Me., for four years; a resident student at Rochester Theological Seminary, New York, for three years, graduating from each of these, and then after 15 years of active service in the Christian ministry a brother clergyman who had taken a correspondence course of Potomac University spoke of it with such appreciation that after investigation I, too, enrolled, and I gladly testify to the value of the instruction received. I believe that the correspondence courses of Potomac University will compare favorably with those offered by recognized schools of learning and that the requirements for its degrees will meet the approval of the competent and the unprejudiced."

Thus I might go on reading extract after extract from students and graduates giving their mature, unbiased comparisons, but will close this part of the discussion by reading from the letter of Attorney J. G. M. Browne, LL. B., of 215 Montague Street, Brooklyn, N. Y., a member of the bar in most of the Federal courts in the eastern part of the United States and a member of the bar of the United States Supreme Court, whose splendid tribute closes with a sentiment which finds an echo in the heart of every student and alumnus of Potomac. He writes to Congressman NELSON as follows:

"I want to say that I regard Potomac University as an institution whose graduates may well point to it with credit and pride. Likewise I unhesitatingly state it as my opinion that Doctor Porter, its president, is a man of highest type and ideals and one whose life is earnestly devoted toward aiding those to obtain an education where personal attendance is impossible. I have taken the complete law course of Potomac, and found it very satisfactory and all that could be desired, and I am sure a comparison of the course and method of instruction with that of other institutions will show that it matches them if, indeed, it does not excel them. I am proud of Potomac as my alma mater, and my earnest hope and prayer is that its existence will be continued to the end that its usefulness may continue forever. What Webster said of Dartmouth when a somewhat similar assault was made upon its existence is equally applicable here: 'She is a small college, but we love her.'

"With assurances of highest esteem,

"J. G. M. BROWNE, LL. B."

During recent years such well known institutions as Chicago University, Columbia University, University of Wisconsin, Temple University, University of Washington, and many seminaries have introduced courses in absentia. Many students of these institutions have afterward taken work in Potomac and their testimony confirms the truth of my fourth proposition, viz:

IV. THE POTOMAC UNIVERSITY SYSTEM OF INSTRUCTION IS THE EQUAL OF THE METHODS USED BY THE BEST UNIVERSITY EXTENSION AND CORRESPONDENCE SCHOOLS

In the strictest sense Potomac is not merely a "correspondence school" as that expression generally describes the operations of many colleges giving instruction beyond the walls, but is actually giving university extension instruction equal in educative values to residence in the foremost institutions. It brings the Bible college and university into the home of the one unable to go to the resident institution. That celebrated statesman, Daniel Webster, is said to have declared, "My idea of an ideal college is Mark Hopkins on one end of a log and a student on the other." So Potomac University aims in her system of instruction to bring the ripest scholarship the best possible courses, the best standard texts and methods to the home of each student in such manner that each individual student will receive the entire attention of the instructor while pursuing his course.

The late President William Rainey Harper, of Chicago University, was one of the pioneers in the field of university extension, and in speaking of its value is said to have used this striking comparison:

"If I have 20 resident students in a class each one will receive one-twentieth of my attention, but if 20 pursue a course with me by correspondence each one will receive all of my attention." Potomac's system of instruction aims to fully realize this ideal, and the comparisons made by students who have pursued courses elsewhere and then have studied in Potomac, abundantly proves the proposition. Kindly give attention as I read a few of these recent testimonials.

The Rev. Joseph A. Davis, D. D., pastor of the Woodside Community Baptist Church, Woodside, N. Y., gives this striking testimony:

"I have done correspondence work in Columbia University as well as in Potomac University and others and consider Potomac University to be equal to any other school of which I know anything in its extension work."

The Rev. H. Ellis Lininger, pastor of the Congregational Church at Wisner, Nebr., and professor in the Omaha Bible Institute, says:

"I have done a great deal of correspondence study and helped in the planning of courses for other institutions, and the courses and work offered and demanded for credit by the institution in question (Potomac University) is of the highest type. The demand is high and the students must do faithful work to secure the credits offered."

Mr. X. P. Walton, Union Springs Academy, New York, writes under date of April 30, 1928:

"From my contact with Doctor Porter and other teachers of the school I should say that the work is very thorough and equal to that of any correspondence school of which I have any knowledge. The work is done faithfully as outlined in the course of study and the grading is on the same basis as any residence work would be."

Rev. F. E. Morrell, pastor of the Methodist Episcopal Church, Colman, S. Dak., says:

"Regarding Potomac University, desire to say that I believe Potomac University is up to the standard in all its departments. I have taken extension work through the years from different institutions, but with none which maintain a higher standard than Potomac."

Mr. George H. Cain, B. A. (Potomac 1913), teacher in the Cambridge High School, Mass., writes as follows:

"Looking back upon the years in which I have taken courses at various accredited institutions I can say, without hesitation, that I found more substantial worth in the work I was required to do in the correspondence courses of Potomac than I found in any other single institution."

Mrs. Sylvina A. Abbott, M. D., of Taunton, Mass., pays a beautiful tribute to the president of Potomac in giving her estimate of the school. She writes as follows:

"I can say only good of Potomac University and its president and founder, Ernest Warren Porter, whom I have personally known many years. I esteem him very highly, and can say of him as my late husband used to say of him, 'Porter is a real man.' His ambition has ever been to have Potomac University rank with the best schools, and I believe it should be so recognized."

Rev. LeRoy Halbert, Th. D., pastor of Mount Pleasant Baptist Church, Newark, N. J., writes, April 28, 1928:

"In reply to your inquiry about the work of Potomac University, allow me to say that in my mind it offers the highest grade nonresident work to be had when judged by the care which the instructors use in making criticisms and replies to students. Everything is 'bona fide' and according to their proposals in the catalogue. I greatly enjoyed my work with them and profited by it. I took up resident work at Drew Theological Seminary, where I secured my Th. D. degree. I think many of these mature men get more out of these courses than many young fellows do out of their resident courses, because Potomac students, though in nonresidence, have a serious purpose and should have the credit."

Rev. George S. Bowden, Ph. D., pastor of the Presbyterian Church, Parnassus, Pa., pays this fine tribute to Potomac in his letter of April 26, 1928:

"I took the doctor of philosophy course at the University of Potomac. I chose the course in preference to three other schools whose courses I examined.

"I considered it the best. It suited me better because it did not require me to be away from my field for resident study, as most schools require.

"The university prescribed the books I was to cover. They sent me lists of questions (the instructor's syllabus) on the text, and I was to answer these in notebooks. Then they sent a certain number of research questions, and the answers to these were to be sent in to the university. When each book was completed a list of questions for examination was sent to Prof. Clay C. Ruff, of the Slippery Rock State Teachers' College at Slippery Rock, Pa., and he gave the examination and returned the questions and answers.

"When the work was done I was required to submit two theses. The major on 'The Sermon on the Mount' and the minor on 'The effect of present-day fiction on morals,' the former of more than 10,000 words and the latter of more than 5,000 words. A copy of each I still have.

"I found them close in their grading, careful in their instructing, particular in all their work. It required three years of good hard work to complete the course, and I know of no school that could give a better course in philosophy.

"GEORGE S. BOWDEN."

Rev. John Essington Miles, Ph. D., pastor of the Tabernacle Baptist Church, Syracuse, N. Y., thus addresses Congressman NELSON:

"DEAR SIR: I thank you for your letter of the 24th instant, your interest in education, and the privilege of writing about Potomac University.

"From my first acquaintance with the institution and Doctor Porter I have found everything and everyone just as represented. I have never regretted taking the work prescribed, but rather felt that it was an excellent help in developing and maintaining studious habits.

"The work was carried on just about the same as the extension courses of larger universities. Although a graduate of McMaster University, Toronto, Ontario, I wanted to continue college work, and Potomac University offered what I needed.

"If I were not in the graduate seminar in Syracuse University, I probably would be continuing work with the Potomac University."

I crave your indulgence as I read the following splendid testimony of the Rev. C. A. Claypool, pastor of the Evangelical Church of Russell, Iowa, who not only gives a statement regarding the value of the work of Potomac to himself, and a comparison with that of other extension schools, but quotes a splendid tribute given by the presiding elder of his district. He says, in writing to Congressman NELSON:

"Allow me, first of all, to thank you for an opportunity to say something in behalf of this institution. Many men who, like myself, found it impossible to attend some resident school in their younger days, and who still find it impossible to do so because of family responsibilities, would find it impossible to get any special training were it not for such worth-while institutions as the one in question.

"I have had over eight years' work with various correspondence schools. I have investigated the work done by many others. I consider the work offered by Potomac University to be far superior to that of any other correspondence school of which I have knowledge.

"In the church of which I am a member all ministers are required to complete four years' work under a board of examiners appointed by the annual conference. All examinations given by this board are given under the personal supervision of the examiner in charge. The presiding elder of this district, a man who holds degrees of A. M. and B. D. from Drake University, investigated the work that I was doing with Potomac University, and upon his own initiative and without any request from anyone recommended that I be given full credit by the conference board of examiners for all work done. By way of explanation of his action he said to me: 'I am so well impressed with the type of work that Potomac University is offering that I am glad to make the recommendation.'"

The fifth proposition to which I invite your attention is the fact that:

V. THE POTOMAC UNIVERSITY CREDITS ARE ACCEPTED BY OTHER STANDARD INSTITUTIONS OF HIGHER EDUCATION

Combination and amalgation in business, centralization of power in government, and massing of great wealth in a few large and celebrated universities are characteristics of this century. Yet, with all this concentration of capital, the day of the small college is here, and here to stay. The small institution has ever been the link between poverty and fulfillment of ambition. Many of the Nation's great have come from farm and shop. Was it to the enormous, traditioned, wealthy universities that they took their limited means? No. They went to some smaller, less renowned institution where they found that they received the same high degree of learning that they would have received at the larger school, paying infinitely less money and missing only the superficial customs and traditions.

Sometimes the fact is forgotten that the acquirement of the necessary knowledge and the ability to use the knowledge acquired are the essential things, not the place of the acquirement, whether in the classroom or in one's own living room; nor the method, whether in residence or in absentia.

The essential thing when the question of credit is at stake is the necessary knowledge. Has the applicant for admission or the candidate for a degree done the work in conformity with academic tradition? Is he able to pass the required examinations? Is he adequately prepared to enter upon the courses desired?

These and like questions are conclusively answered by those who have presented Potomac credits to other standard institutions, as evidenced in the following and similar testimonies.

Dr. Daniel R. Hodgdon, counselor at law, 63 Wall Street, New York, writes to Congressman NELSON under date of April 29, 1928, as follows:

"I was graduated from Bates College, University of Maine; was a graduate student at Columbia University, and received my law degrees from New York University and New York Law School. Prior to this I was a teacher, and it became necessary to obtain certain courses of study to obtain a license to teach in the State of New Jersey. I

could not give up my work. I had a family to support. There was no other way to get these courses except through correspondence. I took the work at Potomac, completed the course, took the examination, and received credit from the State of New Jersey for this work. The courses were complete. The demands of Potomac University were very exacting, and I learned more from those individual courses than I learned in any one of any individual course which I took of like character from any of the other institutions which I attended."

Rev. E. A. Hadeen, A. B., B. D., of Beaver Falls, Pa., writes as follows:

"I became acquainted with the Potomac University in 1918, when I took a course of theology study. I finished my course of study and received my diploma in 1920. The following year I entered the Chicago Theological Seminary, presenting my credentials—among others the Potomac diploma, which was accepted with favor and was well spoken of.

"The course I am taking now is 'graduate theology,' and the courses are followed most strictly and the school is exacting the most faithful and punctilious work, even in regard to the examinations carried on under supervisors. These are ministers or educators."

Mr. H. C. Lyon, superintendent of the Ballinger city schools, Ballinger, Tex., says:

"My work at Potomac has been accepted by the accredited colleges here in Texas. I commend it and believe it to be wholesome and open and above board."

Among the many splendid letters from students and graduates in Canada is the following from the Rev. G. W. Faryon, B. D., of Winnipeg, Manitoba, who says:

"In reference to Potomac University, from whom I received the B. D. degree in 1920. No one who knows anything of correspondence work would question its value to those who for various reasons are unable to take the instruction they require in person.

"When conducted as my experience leads me to believe it is at Potomac, correspondence teaching is extremely valuable, for without an instructor at his elbow one has to apply himself as otherwise he would not be likely to do.

"Personally it took me something over four years to meet the requirements of Potomac, but satisfaction came at the end with the knowledge I obtained, which made it of real worth to me. At once the assembly and synods of my church (the Presbyterian Church of Canada) added the letters to my name in all of their records. No one questioned the fact that I had earned the degree. Having chosen my subject, Potomac supplied me with an outline or syllabus and list of books needed, so that I set myself to work, as I have said, for over four years, wrote the required papers, and at length obtained the degree (cum laude). My degree has been so well thought of that several made inquiry—hoping to obtain a degree for themselves—but found the requirements of Potomac were too exactive for them to fulfill."

The Rev. George A. Leichliter, M. A., pastor of the Prospect Avenue Baptist Church, of Buffalo, N. Y., tells of his experience in presenting his credits and of their acceptance. He says:

"May I state to you my unbounded satisfaction with the work done with Potomac University. During the years of 1915–16 I followed their course of study leading to the master of arts degree and found it equal to work done in any residence course I had ever taken. I have submitted the same on different occasions for credit on other courses followed and have found it quite acceptable in each case. It is my candid conviction that Potomac is offering a genuine opportunity to men who find residence work out of the question. The interest taken in the student is exceptional and the outlined courses are of a very high order."

Thus we see that the credits from Potomac are received and recognized by other standard institutions of higher education.

My next proposition is the fact that—

VI. THE POTOMAC UNIVERSITY EXAMINATIONS ARE PERSONALLY SUPERVISED

At no point is the excellence of the Potomac system of instruction more apparent than in the provisions made for the conduct of the examinations. Although the university catalogue states that "students who are not working for a degree have the privilege of omitting the examinations," it most emphatically declares that "no credit will be allowed toward a certificate, diploma, or degree unless the examinations have been written under personal supervision in all cases." No deviation is ever made under any circumstances from this rule.

The detail of the method will make clear the way in which personal contact is maintained with the individual student, and how the possibility of deception in connection with the examination is made quite impossible.

Provision is made whereby examinations may be taken at the university, or in cases where this is not convenient an educated, trustworthy person, a member of a learned profession, nominated by the student, who shall not be a member of the student's family, nor related to him, nor a costudent, may supervise examinations in behalf of the university if approved by the president. It is provided that "in nominating a supervisor of examinations the student shall give details of his education, his occupation, and his standing in his community as a person of honor and integrity."

When the supervisor thus nominated is approved by the president all test papers shall be forwarded to him whenever a student qualifies to sit for an examination. That is, when he shall have received a passing grade for the prescribed research work of a course, which constitutes the recitation, and takes the place of the oral work and lectures in the classroom of the resident institution.

Procedure in taking an examination away from the university: At the hour mutually agreed upon the student shall go to the office of the supervisor, who, having previously received the sealed paper from the university, will open the sealed envelope containing the test questions and deliver them to the student, at the same time marking on a slip inclosed the time of the beginning of the examination. He shall then sit with the student while he is writing the answers to the test questions. When the student has finished his test he shall return the test questions, together with his written answers, to the supervisor, who shall note on the examination cerificate the time when the test was completed, sign the certificate stating that he sat with the student during the writing of the examination, and that no help was given or received. The supervisor shall then place the test questions, student's answers, and examination certificate in an envelope, seal and personally mail the same to the instructor. The instructor in charge then certifies the grade earned to the university, and if 70 per cent is attained the student is credited with the course.

In illustration of the method of conducting examinations, I beg leave to submit the following statements from students and graduates:

Dr. Clifford E. Scouten, M. A., Ph. D., principal of the Millerton public schools, Millerton, N. Y., thus describes his experience in connection with his examinations at Potomac. He says:

"Potomac requires as much hard work per credit hour as any institution of which I know, and more than the average. The credits are allowed and the degrees granted only for residence work or for work done in extension under the supervision of some reputable and responsible educator. I have done work with three such supervisors, one a college professor, one a Baptist minister, and one a city superintendent of schools. Suitable evidence of at least one college degree and of integrity and standing in his community is required of the extension supervisor by the university. All examinations on which extension credit is based must be performed entirely in the presence of such supervisor, and this fact must be certified in writing for each examination, the certificate being signed by the supervisor of each course. The possibilities of fraud are much less than in the average college examination."

The Rev. Dallas F. Green, Ph. D., pastor of the First English Lutheran Church, Toledo, Ohio, writes as follows under date of April 28, 1928:

"I have taken work at Potomac. The university held me to every part of the program and every course as outlined.

"The work done is very exact—both recitation and examinations—and no examination on any particular subject can be taken unless the study of the text or subject satisfies the member of the faculty under whom the work is taken.

"The same holds true with the thesis work before graduation. The work is thorough and will not be approved unless every part of thesis as to manner and matter meets with the approval of the faculty."

The Rev. W. E. Davis, Ph. D., pastor of the Baptist Church of Clifton Hill, Mo., gives the following testimony in his letter of April 28, 1928:

"I want to say that the plans for work provided by Potomac University are as definite and extensive as those provided by the other universities for the same degree, with the exception that most institutions require that the student shall be in residence during a part of his work. After choosing my four minors for the work and they had been approved by the university, I began the study which extended over a period of four years and required three years of my effort. I found that each work had to be studied faithfully and recitation work submitted on each guided by a syllabus submitted by the professor in charge. Then for the examination the questions were sent under seal to be opened only in the presence of the supervisor previously chosen by me and accepted by them when they were satisfied of his worthiness. The examination had to be written in his presence and at one sitting. The paper was then turned to the supervisor, who sealed and forwarded it to the university. When the professor in charge had graded it the grade was sent to me. I certify on honor that each and every book of the full course was treated thus. In addition I was required to submit a 5,000-word dissertation at the middle half of my work and a 10,000-word thesis meeting the requirements of all institutions for a doctor's degree."

Rev. S. A. Tamblyn, Fort Sumner, N. Mex. (April 28, 1928), says:

"Having studied in colleges and universities abroad as well as in the United States of America, besides in such sound institutions in the theological realm as Xenia Seminary, I believe I am in a position to judge and express my opinion as to what Potomac University should be and is. Therefore I would say I have always found Potomac University stands for the very highest degree of work and demands

such of its students, and the work has to be done faithfully before either credits are given or degrees conferred. In fact, some of the very toughest examinations it has been my lot to take in any institution were taken under the direction of the faculty of Potomac. Furthermore, their very method of taking such examinations (provided one can not attend the institution for such) precludes any possibility of the student wrongly attaining the credits."

The Rev. James B. Muir, pastor of the First Presbyterian Church, Attica, Ind., writes thus:

"It has been my privilege to pursue a course of studies carried on by the Potomac University, under the direction of Doctor Porter and his colleagues on the faculty, for the past four years.

"A student may pursue the course of studies for their benefit merely.

"A residence at the university is not required of the student for graduation. But if a student is working for either a degree or a diploma, examinations are required to be written under the personal supervision of a supervisor previously nominated and appointed for the purpose, or they may be held at the university.

"A 'supervisor of examinations' shall be nominated by the student, who will receive the test papers from the university; sit with the student while he is writing the examination, and return the answers to the instructor with the certificate of having supervised the test in person."

Rev. Bernard A. Rust, pastor of the Baptist Church of Aurora, Iowa, speaks of the pleasure and profit received from his courses, and testifies to the method of their grading. He says:

"In reply to your letter regarding Potomac University permit me to say that the extension work which I have thus far pursued under their direction has proved very satisfactory as well as profitable.

"The work itself requires a great deal of good, honest study; and the giving of credit, it seems to me, is done on as sound a basis as is possible in correspondence work. The grading is done on the recitation work, which consists of written answers to hundreds of questions, as well as on the examinations which are taken under a supervisor who states each time over his own name that all has been done in an honorable and honest way.

"BERNARD A. RUST."

The Rev. Thomas Merryweather, pastor of the United Church, Oak Lake, Manitoba, says:

"My experience has been such as to justify the statement that the university is quite exacting in its requirements. My experience was that after documentary evidence had been furnished of standing attained in former colleges, recognition of such was obtained only after strict examination of records. I find that the work must be undertaken with thoroughness, and necessitates real application and much time. The examinations that I have taken were rigidly conducted, the conditions outlined in the course of study were followed in every detail; the papers were received directly by an accredited supervisor, whose professional standing, etc., was given before the university accepted his name in that connection. The written examinations were forwarded by this supervisor to the university, and the results, when they came to hand, indicated careful and conservative marking—at least that was my opinion. In short, whatever may be the standing of Potomac University as an institution of higher education, my impression is, and it is based on the year's experience, that whatever degree may be granted, it will be the result of real work, necessitating the expenditure of much time and concentration of energy."

Rev. Guy E. Mark, pastor of the Union Square Baptist Church, Somerville, Mass., says:

"I have been taking special studies with the Potomac University for about four years. Their standards are good and their requirements are fair. All examinations are safeguarded by the presence of a supervisor."

The letter of the Rev. L. M. Persenius, M. A., pastor of the Zion Lutheran Church, Kewanee, Ill., is so lucid and comprehensive that I read it as a summary of many other testimonials which can not be read on account of lack of time. He says:

"I can assure you that no degrees are granted there without the most rigid examinations, and the students have no way of cheating, because the examination questions must be answered before a schoolman or pastor, or some other reliable person recognized by the university, and that person has to sit there and watch and testify in writing to the university what time the examination started, how many hours it took the student to answer the questions, etc., and then he takes the papers and sends them in. I have taken many examinations and answered many questions, but no examination has been more rigid than the one I took on my course at Potomac University."

VII. POTOMAC UNIVERSITY HAS STOOD THE TEST OF THOROUGH INVESTIGATION

In support of this declaration I wish to introduce several characteristic testimonials. The first of these is a letter from the Rev. Richard H. Bosworth, A. M., Ph. D., S. T. D., of Burlington, Vt. Doctor Bosworth is now 80 years of age and is Potomac's oldest graduate. He says:

"It was only after careful inquiry that I enrolled as a student under Doctor Porter, and I have never regretted it. I received strong approval regarding it (Potomac University), especially from my college president, the Rev. Samuel Fallows, D. D., of the Illinois Wesleyan University."

The Rev. Isaac W. Grimes, S. T. D., a noted New England Baptist preacher, of Cambridge, Mass., contributes the letter with which the testimony in connection with this proposition is closed. He writes:

"I was a resident student at Worcester Academy, Massachusetts, for four years; a resident student at Colby University, Waterville, Me., for four years; a resident student at Rochester Theological Seminary, New York, for three years, graduating from each of these, and then, after 15 years of active service in the Christian ministry, a brother clergyman, who had taken a correspondence course of Potomac University, spoke of it with such appreciation that after investigation I, too, enrolled, and gladly testify to the value of the instruction received. I believe that the correspondence courses of Potomac University will compare favorably with those offered by recognized schools of learning, and that the requirements for its degrees will meet the approval of the competent and the unprejudiced."

The Rev. Vernon L. Shontz, minister of the First Baptist Church of Muscatine, Iowa, says:

"Before deciding to take up special work by correspondence in Potomac University I investigated the standing of the school and had a personal conference with Dr. Ernest W. Porter. If ever I find it possible to complete the work he has outlined, I shall never feel ashamed of the degree for which I am working."

Rev. A. E. Blundon, B. A. (Potomac University), Stittville, N. Y., says:

"Before I took up work with Potomac University I investigated the work of the institution through scores of people who were acquainted with the work there, many of whom were not at all connected with the institution; my conclusion justified my enrollment."

Rev. David Young, M. A., pastor of the Methodist Episcopal Church of Ogden, Iowa, says in his letter to Congressman NELSON:

"In reference to the work I did at Potomac University, may I say first of all that I spent five years in Alberta Theological College and the University of Alberta, Canada, prior to taking the Potomac course. Had it been possible to take work extramurally with either of these institutions, I should have done so. Not being able, I sought carefully for a correspondence school where I might take the work necessary for the master's degree in arts. After very careful investigation I found just such a school as I desired in Potomac University and majored in sociology."

The Rev. T. De Courcey Rayner, pastor of the Presbyterian Church of Wallacetown, Ontario, writes, April 28, 1928:

"My first knowledge of Potomac University and the courses it offered in university extension work for students, like myself, unable to continue the work in residence, came to me through an advertisement in the pages of the Presbyterian, a weekly organ of the Presbyterian Church, published in Philadelphia, Pa. As I was interested, I wrote to the editor making inquiries as to the standing of Potomac University, suggesting that so reputable a magazine would not carry the advertisement of any institution that was not a bona fide institution. The following reply from V. T. Smith, business manager of the Presbyterian Publishing Co., Philadelphia, was what decided me to enroll as student:

"'With regard to the Potomac University, Washington, D. C., we have investigated this institution to some extent, and as far as we can find it does not make any claims which it is unable to support. This institution should not be classed with the type that you find now and then from which a degree may be practically purchased, but real honest work is required in order to qualify.'

"In all my dealings with the university I have found this to be abundantly true, as one has to give evidence of academic standing prior to being permitted to enroll as a student in a course leading to a degree, and then has to do real honest hard work in order to begin to qualify for a bachelor's degree."

Miss Mary Olive Vaudry, M. A. (McGill University), of Lenoxville, Quebec, a very successful teacher, says in her letter of May 3, 1928:

"It gives me much pleasure to reply to your letter of April 24 relating to Dr. Ernest W. Porter and Potomac University. I am a graduate of McGill University, Montreal, and received from that institution the B. A. and M. A. degrees. As I have chosen the teaching profession, it seemed an advantage to obtain the degree of Ph. D. also. After some correspondence with Doctor Porter and friends in Boston who knew of him and his work, I enrolled as a candidate for the Ph. D. degree nearly two years ago. So far I have found the course as stiff and thorough as in any of the best universities that require personal attendance, also the work is done faithfully by the teaching staff."

VIII. THE POTOMAC UNIVERSITY IS A BLESSING TO THOSE UNABLE TO ATTEND RESIDENT INSTITUTIONS OF HIGHER LEARNING.

The records of earth will never adequately tell the blessing which has come into the lives of thousands of men and women through this noble institution. Men and women occupying positions of great

responsibility and influence point with grateful pride to Potomac as their alma mater. Teachers, professors, heads of departments, linguists, physicians, lawyers, judges, government attachés, and especially Christian workers, ministers, and missionaries, gratefully record their indebtedness to this great open door to educational opportunity.

This is especially true of hundreds of persons who, by no fault of their own, were deprived in early life of the advantages of higher education, and who in later life have come to realize their need for better equipment for their tasks, and yet are unable to attend college, university, or seminary because of family ties, financial inability, peculiar conditions, parental responsibilities, the duties of present vocations, or other hindering circumstances are unable to take further training in residence.

Think of the number of ministers in rural or country churches bound by the obligations of family support and utterly unable to leave the work on other fields for periods of study in residence, and yet are able to arrange their daily schedules so that an hour or two each day may be devoted to special cultural training of higher university grade under expert leadership and direction. The same possibility applies to the lawyer, teacher, and member in any profession, as well as the laborer, tradesman, scholar or man of affairs anywhere who desires to better equip himself for the filling of his place in the world's great field of need and opportunity, and of being the greatest possible channel of human and divine service.

Think of the lonely missionary, shut away from the centers of education and culture, yet capable and eager to have the very best educational equipment possible, and to be kept in constant mental contact with the leaders in thought from whom he may be separated by thousands of miles, and all of this in order that he may be the best possible representative of his Lord and Master.

Think also of those who have had educational advantages in the years of preparation for their life work, but have come to realize, after years of effective ministry and service, that their abilities would be greatly augmented if they could take further courses of study adapted to peculiar needs and conditions in their fields of labor or to bring them into fuller acquaintance with modern thought and methods, but are hindered from returning to their alma maters or going to other institutions for post-graduate work in residence.

To these Potomac University offers the supreme opportunity through her matchless university extension courses in absentia.

Personally, I scarcely dare to think of the added ability which might be mine if I had known Doctor Porter and Potomac University 20 years ago. I can never put into language a just appraisement of what they have meant to me and my work during the past four years, and my experience has been duplicated in the lives of many others, as is evidenced in extracts from letters received during the past month, a few of which I will now present.

Rev. William J. Marks, D. D., pastor of the Methodist Episcopal Church of Lansford, Pa., writes:

"The work taken with Potomac University has been of inestimable value to me in my life's work, that of the Christian ministry, and I have nothing but the highest praise for them in the great educational work they are doing."

Rev. Harry S. Hammann, pastor of the First Baptist Church, Florence, Colo., says:

"Potomac University is faithfully endeavoring to supply a great need. There are those who do not have the opportunity to pursue a resident course in continuing their education, yet they are desirous of carrying on their studies under expert supervision. Some may be interested only in obtaining a degree, whether it has been earned or not. There are many others who are interested in the work that is required, looking forward to the just reward of faithful study. This school caters to those of the higher motives."

Rev. R. S. Booy, rector of the Episcopal Church of Temiscaming, Quebec, Canada, chairman of the school board, writes:

"I am in receipt of your questionnaire regarding Potomac University and have much pleasure in adding my testimony as to the benefits which students enjoy by means of its correspondence course.

"To the genuine student, who, like myself, has neither the time nor the means of taking a residential course, Potomac provides a long-felt want.

"From my own experience I have no hesitation in saying that the work outlined in the course of study must be done faithfully or the student will suffer and fail. And as one who had done a considerable amount of work as an examiner in former days in England, I would say the marks awarded the papers sent in were absolutely just, and that the standard required was by no means easy to attain, but is quite on a par with the college exams there.

"I showed the course of studies to my bishop when he was staying with me, and he said they were very good."

The Rev. Charles H. C. Jackson, editor of the Evangelistic Messenger, Edmonston, Alberta, Canada, says, in his letter of May 2, 1928:

"Potomac is without doubt a real friend to those of us who are located great distances from it and who are desirous of pursuing an additional course of study."

Rev. Benjamin J. Johnson, Kenosha, Wis., says:

"Such a school as the Potomac University fulfills a great need in the educational field. Many good men would be deprived of higher learning were it not for the efforts of such a school."

Mr. W. R. G. Orwick, Miami, Fla., says:

"I can truthfully say that they are serving a great need in this country, as there are thousands like myself who are not able to go to a resident school to finish their education, but through this institution can fit themselves for whatever they wish."

Rev. William Wyman, Ph. D., Regent's Park United Church, St. Vital, Manitoba, Canada, says:

"I took the course of study leading to the Ph. D. with Potomac University and feel that the work was faithfully done and well looked after by that institution. I believe it is filling a need—that of supplying an opportunity for men like myself who wish to take up extension work while in active service of the ministry."

H. Stanley Witwer, B. S., B. Th., Ph. D., of Elverson, Pa., says:

"APRIL 28, 1928.

"Potomac University has been of tremendous value to me in completing my education."

Rev. A. H. Ericsson, of Littleton, N. H., said on April 27, 1928:

"To those of us who could not possibly go to a resident school because we lacked the funds and had families to answer for, Potomac University has been and is a real godsend, a blessing indeed."

Rev. W. B. Rogers, of the Church of the Star, Methodist, Hollywood, Calif., says:

"It was my pleasure to take work with Potomac University, and I regard it as one of the great benefits that has come to me. The faculty is worthy of the name of educators. The school is an asset to the country. No finer thing could be done by Congress than to help strengthen by its moral support such an institution as the Potomac University."

Rev. Wallace H. Wotring, D. D., LL. D., pastor of St. John's Reformed Church, Nazareth, Pa., writes:

"I was graduated from Ursinus College and Theological Seminary, and therefore received the best training that our denominational schools can give. It was after I had been in active service in life for a good many years that I took advantage of what Potomac had to offer. To me it was a new revelation and such a boon that I often wished that men who can no more be resident postgraduate students knew of the thorough work done by this institution, and thus bring themselves abreast of modern development in the field of knowledge."

Rev. Le Roy Halbert, Th. D., pastor of the Mount Pleasant Baptist Church, Newark, N. J., says:

"In reply to your inquiry about the work of Potomac University allow me to say that in my mind it offers the highest grade nonresident work to be had, when judged by the care which the instructors use in making criticisms and replies to the students. Everything is bona fide and according to their proposals in the catalogue. I greatly enjoyed my work with them and profited by it.

"To close Potomac would be a serious loss to many men who have entered the ministry too late to go into residence. I think many of these mature men get more out of these courses than many young fellows do out of their resident courses, because Potomac students, though in nonresidence, have a serious purpose and should have the credit."

Rev. Paul Wagner, minister of the Ninth Presbyterian Church, Troy, N. Y., writes:

"I would like to go on record as having said that I think the school as represented by Doctor Porter and his colleagues is a boon to mankind—the men who are placed in a position where their time will not allow them to get to a resident university or where they would not have time to spend attending such a college.

"I know that in my own case, though I am a quite recent addition to the school, that there is no possibility of getting any credit unless the work done as outlined is done sincerely and with application. The course that is given is outlined to cover a certain period of weeks, and this must be adhered to or there will be no credit given."

Rev. I. M. Bachman, Northampton, Pa. (April 28, 1928), says:

"Relative to the Potomac University, Washington, D. C. I took the Ph. D. degree in that institution some years ago, and in the three years I worked for it I can frankly say that I was greatly benefited by the course of studies. I could not afford to get this course by any other way but by correspondence, and I presume others are taking it for the same reason.

"A man who took the Ph. D. in university came to my study and, comparing what either of us had to do, he said, according to the books you had in the course, I am sure you got more out of it than by listening to lectures only and doing a little research work."

Rev. George L. Warnke, of Staunton, Ill., replies to Congressman NELSON as follows:

"I have taken courses with different schools but have never found any which cover the work in such a splendid manner as Potomac does. The school has been a blessing for our entire country. It has

especially an open door for the student who is not able to pay a Columbia, Princeton, Yale, etc., tuition for his education."

Rev. George G. Treanor, B. Th., minister of the Dresden Presbyterian Church, Dresden, Ontario, Canada, says:

"I am glad to give a word for Potomac. I am a candidate there for the doctor of theology degree, and the work I have done has been a wonderful help. I have found the work of the highest order and beneficial. I have felt all along that in earning the degree I would have a great deal more than the degree."

Rev. John E. Miles, Syracuse, N. Y., calls attention to the place Potomac is filling in developing and maintaining studious habits. He says:

"From my first acquaintance with the institution and Doctor Porter I have found everything and everyone just as represented. I have never regretted taking the work prescribed, but rather felt that it was an excellent help in developing and maintaining studious habits.

"The work was carried on just about the same as the extension courses of larger universities. Although a graduate of McMaster University, Toronto, Ontario, I wanted to continue college work, and Potomac University offered what I needed."

Missionary J. C. Kobes, of Toadlena, N. Mex., says:

"My experience would lead me to believe that Doctor Porter and those associated with him are endeavoring to furnish honest help to those who are unable to further their education through the usual resident channels."

Rev. Fred William Hubbard, of Paterson, N. J., writes:

"It gives me great pleasure to say that I found the courses not only interesting but extremely helpful which I took with the Potomac University. I highly recommend that this institution is fulfilling a big need toward aiding a person to do advanced work as well as undergraduate collegiate work."

Thus one might go on reading for hours the statements of those to whom this splendid institution has been and is a godsend. I must content myself, however, with but one other tribute which sums up the feeling and testimony of hundreds of Potomac students and graduates and expressed by the Rev. A. E. B. Blundon, pastor at Stittville, N. Y., in his letter of April 28, 1928, in which he says:

"Potomac University should be looked upon as a great asset to our educational forces and a blessing to the State and Nation."

IX. THE POTOMAC UNIVERSITY PRESIDENT, DR. ERNEST WARREN PORTER, IS A CAPABLE, EXPERIENCED, AND SUCCESSFUL EDUCATOR

In speaking of the scholastic attainments of Dr. Ernest Warren Porter, president and founder of Potomac University, the editors of "Who's Who in America," say: "Educated in Y. M. C. A. School of Modern Languages (Northeastern University), Boston, 1893; Law School, Boston, 1894–95; Kent College of Law, 1895–96; LL. B., Chicago Law School, 1897; D. C. L., 1898; Ph. B., Taylor University, Indiana, 1899; M. A., Amity College, 1909; admitted to bar, Illinois, 1896; District of Columbia, 1905; instructor Illinois College of Law, Chicago, 1897–98; instructor political and social science, history, private school, Boston, 1900–1903; president and professor Potomac University, Washington, D. C., since 1904." In 1914 Doctor Porter was made a Fellow (F. S. P.) of the Philologie Société (London); and in 1923 the same institution awarded him the degree of Ph. D.

These attainments together with his extensive experience as an instructor attest his capability and experience, while the tributes of the thousands trained under his direction attest his success as an instructor.

Regarding his character, those who know him best know him to be a man of broad culture, high ideals, deep sympathies, kindly disposition, and exemplary Christian deportment; beloved, respected, and trusted, as evidenced in the numerous personal testimonials which I have the honor and privilege of presenting.

May I, first of all, read extracts from a letter addressed to Congressman NELSON by the Rev. Gove G. Johnson, D. D., pastor of the National Baptist Memorial Church, Washington, D. C., of which Doctor Porter and wife are honored members. He says:

"Please allow me to express to you the esteem in which I hold Dr. Ernest W. Porter, president of Potomac University. I have for some years known Doctor Porter intimately and believe that he and his work are genuine."

I follow this with a tribute from the Pinkham Bible Class of the National Baptist Memorial, Washington, D. C.:

"The Pinkham Bible Class has on its rolls names of 104 men. On Sunday morning April 22, 1928, there were present 72. The following paper was presented by one of the members and unanimously adopted by an enthusiastic vote:

"To whom it may concern: This paper is to give expression to the high esteem in which Dr. E. W. Porter is held by the members of the class. We commend him unhesitatingly as a man of the highest Christian integrity.

"E. W. MAY, *President.*
"WM. S. ANDERSON, *Secretary.*
"S. G. NOTTINGHAM, *Treasurer.*"

Rev. John E. Briggs, D. D., pastor Fifth Baptist Church, Washington, D. C. (April 24, 1928), says:

"In reference to Professor Porter, of Potomac University, I beg to say that I have known him for some years as a Bible teacher and one who is interested in religious work."

Mr. Robert H. Clark, member of National Baptist Memorial Church, Washington, D. C., says:

"I have known Dr. E. W. Porter, of the Potomac University, for a period of five years and have found him to be a man of the highest Christian integrity."

"DEAR SIR: My acquaintance with Dr. E. W. Porter began when I became a member of a Bible class of which he was the teacher. I soon recognized his ability as a teacher and became very much interested in his work. Holding him in high esteem, I sought a closer acquaintance with him, and that more intimate acquaintance has confirmed the judgment first formed and I have come to love him as a high-toned Christian gentleman.

"Respectfully yours,

"Rev. L. R. THORNHILL, *D. D.*"

Rev. George L. Gibbs, pastor First Baptist Church, North Braddock, Pa., says:

"I can speak only in terms of the highest commendation of Doctor Porter and his work through Potomac University. Besides, there could be no sounder man or more thorough student and teacher than Dr. George Boddis, one of his colleagues."

H. A. Stacy, of the Government engineering department, residing in Takoma Park, D. C., says, under date of April 26, 1928:

"I have been acquainted with Mr. Ernest W. Porter, president of the Potomac University, since 1911 and believe him to be a thoroughly earnest, honest, conscientious man, whose school is doing a similar good work in its line."

FIRST BAPTIST CHURCH,
Washington, D. C., April 24, 1928.
(Rev. Samuel Judson Porter, D. D., pastor)

Mr. Ernest W. Porter, Bible teacher and for many years teacher in Potomac University, is, in my judgment, a man of splendid character. I do not believe he would do anything unethical in connection with his work.

SAMUEL JUDSON PORTER.

Dr. Maurice E. Miller, Medical Science Building, Washington, D. C. (April 21, 1928), says:

"Mr. Ernest W. Porter, educator, Bible teacher, and church worker of this city, many years a teacher in Potomac University, is known to me as a man of strong Christian character."

Dr. William M. Sweet, 1801 I Street NW. (April 21, 1928), says:

"Ernest W. Porter is a Bible teacher of this city, whom I know as a man of strong Christian character."

The following splendid tribute was sent by Mr. C. F. Haden, chief of examining division 2 of the United States Patent Office:

"I have known Ernest W. Porter about 17 years and I have been quite closely associated with him part of that time, long enough and closely enough to know that Mr. Porter is honest, honorable, and conscientious and is conducting a legitimate business, and he has built up a deservedly honorable and widespread reputation both for himself and for his school. He should be encouraged and his school should be recommended, because good correspondence schools are needed and do an inestimable amount of good. They are a godsend to a large class of ambitious people who have been unable from one cause or other to get a liberal education in any other way."

Mr. William E. Dyre, McLachlen Building, Washington, D. C., attorney at law, under date of April 21, 1928, says:

"I am a native and also a life-long resident of the District of Columbia and attorney at law specializing in patent and trade-mark causes, the executive secretary of the patent, trade-mark, and copyright section of the American Bar Association, a member of the Board of Trade and various other local civic organizations.

"I have very little knowledge of the Potomac University of this city and am not conversant with its courses of instruction or methods, but I have a personal acquaintance with its president, Mr. Ernest W. Porter, extending over a period of 20 years and know him to be a man of high ideals, excellent moral character, and a Christian gentleman. He is a prominent member and officer of the National Memorial Baptist Church of this city, a man of integrity, whose daily life is characterized by a sincerity of purpose and a desire to merit the confidence of mankind to which I believe he is justly entitled.

"WILLIAM E. DYRE."

Miss Ruth Gray, Munsey Building, Washington, D. C. (April 21, 1928), says:

"I know Doctor Porter and each member of his family personally. I have worked for him and I have worked with him, and I know that the courses which are given through his university are above the average. I have copied many sets of lessons which have been sent out to their students, and I feel that his students are amply paid for every cent that has been received by Doctor Porter. His work entails an

expense which the fee that is asked for the same would hardly pay at times, yet this is all done for the sake of the students. I have always found Doctor Porter to be a gentleman in every respect. He is a capable man and a learned man. I feel positive that he would be a great help to any student to whom he might impart his knowledge.

"RUTH GRAY."

Rev. A. A. Swanson, B. D., of Russell, Pa., says:

"Permit me to lend a word in appreciation of Doctor Porter himself, who is a man of sincere motives and outstanding ability as an educator, and a friend to all who aspire to do better work for their Lord and Master."

Rev. Francis L. Beal, D. D., St. James' Rectory, West Somerville, Mass., says:

"Potomac is doing excellent work for higher education. I know President Porter to be a man of high integrity, broad learning, and large administrative ability."

Rev. C. L. Doyle, M. A., B. D., Ph. D., pastor First Baptist Church, Tiffin, Ohio, pays this splendid tribute to the integrity of Doctor Porter in his letter of April 27, 1928:

"Hon. JOHN M. NELSON, M. C.,

"United States Capitol, Washington, D. C.

"DEAR SIR: The one thing on which the Potomac University lays great stress is that a man must earn his degree by honest, hard work or he will not get it. And the courses of study are not light.

"I tried to get them to give me credit for work I had already done in subjects on their course, but there was 'nothing doing.' I had to study and pass the tests as required by their own teachers if I would receive recognition from their school. I had a disagreement with one of their professors because I thought he was unreasonable in his demands in requiring so much work on a certain subject. The professor stood his ground and the university backed him up. Result was, I lost all my credit for that subject and had to do the work over or shift to another subject of equal importance. If any man gets a degree from that school he earns it by honest, hard study and passing of severe tests."

Dr. Clifford E. Scouten, superintendent of schools, Millerton, N. Y., sends a similar tribute clothed in this language:

"I have found Doctor Porter a fine Christian gentleman and of unusually sensitive conscience. For example, he refused me credit for 12 hours of residence work of graduate grade, this work never having been applied on any degree. Several other universities were willing to accept this work toward a Ph. D., and about six credit hours taken under similar circumstances were accepted for graduate credit on my M. A. Doctor Porter based his refusal on the fact that the work in question was taken before I had received my B. A. degree, although the work was given as graduate work and was ordinarily open only to graduates."

Mr. William Douden, architect, Washington, D. C., says:

"Allow me to add a word in the interest of my friend, E. W. Porter, president of Potomac University.

"Our acquaintance has extended over a period of six years, and I have known him only as an honorable Christian gentleman of exceptional ability and good judgment.

"My acquaintance with the work of the Potomac University is somewhat limited, but what I do know is that it has met a need and demand for a methodical direction of home study along certain lines, with high ideals and without the least taint of commercialism."

Rev. H. J. Councilor, S. T. D., Calvary Baptist Church, Washington, D. C. (April 25, 1928), says:

"I have known Mr. Porter for 20 years or more and have been associated with him in religious work more or less intimately throughout these years. I am therefore happy to bear this testimony of my knowledge of his personal activities and interest in things worth while."

Howard S. Fisk, lieutenant, Supply Corps, United States Naval Reserve, past commander George Washington Post, No. 1, the American Legion, Washington, D. C., says in his letter of April 23, 1928:

"I wish to place myself on record in behalf of Mr. Ernest W. Porter, president of Potomac University, and to state that it has been my pleasure to have been acquainted with Mr. Porter for approximately 20 years and that I hold him in the highest esteem.

"During all the years of our friendship I have always found him to be honest, square, and upright, and his character above reproach. I have the utmost confidence in him, and have never heard any unfavorable criticism of Mr. Porter or his school. The fact that he has been established in his school work over 20 years is, to my mind, evidence enough of his business integrity and fair dealing.

"Mr. Porter is a man of excellent moral character and a student of many years, and one deeply interested in the educational field in which he is engaged. I therefore take pleasure in adding my testimonial as to Mr. Porter's character during these many years of our friendship, which still exists at the present time."

Rev. G. A. Leichliter, M. A., pastor of the Prospect Avenue Baptist Church, Buffalo, N. Y., under date of April 28, 1928, pays this splendid tribute which admirably expresses the esteem and appreciation of hundreds and thousands who delight to honor the worthy president of our beloved alma mater, Potomac University:

"I esteem Dr. E. W. Porter, the president, very highly, indeed. In all my dealings with him I have found all other considerations lost in the desire to have the student reach an honest and honorable goal. To me he is one of the very worth-while educators of our day and able to take his place in the ranks of the profession with honor."

X. THE POTOMAC UNIVERSITY IS WORTHY OF THE FULL CONFIDENCE AND SUPPORT OF THE PUBLIC

My remarks regarding this proposition shall be brief. No person who will carefully weigh the hundreds of expressions which have already been adduced in this address and reflects on the unusually high class of persons from which they come can possibly escape this conclusion.

Regarding the sincerity of the purpose and aim of the founder and promoters of Potomac University there can be no question. Regarding the character of the instruction imparted, clearest testimony has been given. All who have touched at any point the activities of the university commend it unreservedly. Potomac University is worthy of the fullest confidence and strongest support of the public at large, and for this I must sincerely plead.

The positive, active, moral support of every person interested in any manner, shape, or form of higher education must surely be given by all who honestly and conscientiously weigh the facts. But this is not enough. Potomac University must have the strongest possible financial backing if she is to measure up to her privileges and opportunities. The self-denial and self-sacrifice of her founder and president marks one of the greatest examples of giving up one's life and all for the realization of an unselfish, beneficent ideal that has ever come under my notice. If Potomac University is to be the blessing in the realm of higher education God means her to be and we sincerely desire her to be, we must see to it that adequate financial support shall be provided, and to this provision I invoke your earnest, prayerful consideration.

In support of my proposition and plea may I read the following brief extracts from the letters of others who share similar convictions?

Rev. O. H. Dorschel, B. A., B. D., pastor of the Salem Evangelical Reformed Church, Buffalo, N. Y., says:

"When I enrolled I was promised certain things along the lines of advancement in knowledge and can sincerely say that I received all promised and greater satisfaction than I anticipated."

The Rev. Joseph Wilson, jr., of Sherman, Tex., expresses the sentiment of those who best know Potomac. He says:

"In reply to your letter of inquiry concerning the work of Potomac University and its faculty, would say, so far as my knowledge goes, both the institution and the faculty are serving a noble purpose and are worthy of the full confidence of the public."

Rev. Antonio Perrotta, pastor Italian Baptist Church, Utica, N. Y. (May 8, 1928), says:

"I am a graduate of Colgate and Yale Universities and understand somewhat the methods used in these high schools of learning to impart proper instruction and intelligently educate the mind; hence I speak and write with a degree of intimate knowledge of such things.

"Having taken courses with Potomac, I can assure you that the imperative and absolute request of the faculty is to pursue the studies as they are outlined, and the promise and plan are plainly stated, that no credit is ever given unless the lessons are properly and correctly done. * * * I believe that Potomac University is worthy of respect and public support."

Prof. Charles M. Jones, principal of the Taylor County High School, Perry, Fla., says:

"I am a graduate of Western Kentucky State Normal, Potomac University, and University of Chicago. I consider the services rendered at this institution (Potomac University) to be high grade and faithfully done."

Rev. Hislop Dickson, M. A., B. D., pastor of the United Church, Oak River, Manitoba, writes under date of May 7, 1928:

"I have been studying with Potomac University for the degree of Th. D. for between three and four years and am only about half way through the course at present. My experience has been that they are thorough in their correspondence courses and businesslike in management.

"Another minister who completed this course a year or so ago informed me recently that he had done honest and faithful work with them and that he was highly pleased with their dealings with him.

"H. DICKSON."

Rev. John C. Cowell, jr., evangelist of Fayetteville, N. C., says:

"I count it a happy privilege to say a kind word for Potomac University. I have taken work with this institution and say unhesitatingly that I have found them to be upright and conscientious in all of their dealings. Their work is of high character, and when one is awarded a diploma from the school it is because they have earned it."

Rev. J. D. Spidell, B. A., M. A. (Potomac University), pastor of the Ludlow Street Baptist Church, West St. John, New Brunswick, Canada, says:

"I have nothing but highest praise for the work Potomac University is doing. The work of the university has all been thorough and honest."

Owen F. Renegar, B. A., LL. B., attorney at law, and former judge, Oklahoma City, Okla., writes:

"Will say that it has been my pleasure to have been a student of Potomac University and have taken considerable work with other institutions, and I prize my training taken in extension with Potomac University as the highest type of university culture."

In conclusion may I ask you to consider again the 10 propositions presented, together with the testimony produced:

I. Potomac University is true to the fundamentals of the Bible.

II. The Potomac University faculty is one of superior scholarship.

III. The Potomac University system of instruction is the equal of the method used in residence in the best colleges, universities, and seminaries.

IV. The Potomac University system of instruction is the equal of the method used by the best university extension and correspondence schools.

V. The Potomac University credits are accepted by other standard institutions of higher education.

VI. The Potomac University examinations are personally supervised.

VII. The Potomac University has stood the test of thorough investigation.

VIII. The Potomac University is a blessing to those unable to attend resident institutions.

IX. The Potomac University president, Dr. Ernest Warren Porter, is a capable, experienced, and successful educator: Therefore

X. The Potomac University is worthy of the full confidence and support of the public.

RESEARCH UNIVERSITY

STATEMENT BY ELMER J. BINFORD, TRUSTEE

Democracy depends for its growth and perpetuity on the education of its leaders. University education in America has its grave faults and has been following tradition quite blindly and not enough the needs of our people. Yet some of its most helpful critics have recently been university presidents, and a number of institutions and faculties are beginning to throw off the dead hand of precedent and to direct the forces of research and experimental investigation toward their own effectiveness. At the University of Wisconsin we have seen the inspiring example recently of the establishment of an educational experiment within the university in which some 250 young men are being trained for life in ways very different from those followed in the traditional institution, built in imitation of the old European universities and later getting standardized into subjects, "credits," "semester hours," "serving sentences" in classrooms for four years to get a degree, etc., to a point of formalism. President Bowman, of the University of Pittsburgh, expressed the new point of view recently in an interview:

"SELF RESEARCH AND EXPERIMENTAL SCHOOLS

"One of the first and most constructive things we did was to set up a research organization for a research of ourselves as a university. For years, in common with other universities, we have been making researches for others in medicine, physics, biology, chemistry, and industrial lines. It never occurred to us, however, that our own educational methods might profit by research. We who were in the business of dispensing knowledge were being guided not by knowledge but by tradition. We were deciding on precedent not on facts." (American Magazine for May, 1928.)

One of the first institutions to catch and embody this modern spirit is Research University here in the National Capital. Because for nearly a decade it has been somewhat different and has based its service as much as possible on an original adjustment of higher education to the needs of adults here and everywhere in the Nation it has received, of course, the usual criticism from the conservative. The recent attempt to get Congress to legislate and the consequent investigation by Congressman NELSON of this and other higher institutions here in the effort to discover the significance of this legislation (which would have put some of our local universities into the control of the school board and left others free, instead of providing a real board of higher education for all) has helped to bring out its national significance.

Out of this study has grown, I believe, an appreciation of Research University and a realization of the sacrifices made by its officers, who, against great odds, have since 1919 been building here for the city and the Nation a form of educational service that Congress and every other governmental agency should help to the limit of their powers. It is true that certain agencies have failed to help as they should in getting this institution widely recognized by other institutions, but the widespread recognition so far received and the remarkable support of its students and alumni should soon secure for it adequate endowment and general favor.

THE STORY OF RESEARCH UNIVERSITY

I have learned no more interesting and sympathy-provoking story than that of the rapid rise of Research University and of its struggles in this environment which should be the best in the world for it. As a professor in law schools, as a judge, and as a trustee of the institution, I have a basis for sound judgment of its worth and promise. Starting as the National School for Social Research in 1919, it incorporated as a university, in the only way possible in the District, early in 1920. Leading men and women in the city were its directors, one, in 1919, being Hon. CLYDE KELLY, of Pennsylvania, and another, in 1920, James T. Lloyd, later president of the local chamber of commerce and president of the local school board. Dr. Roy S. MacElwee, Director of the Bureau of Foreign and Domestic Commerce, was one of the incorporators, as was also a noted and very highly educated Harvard man, Dr. Edson L. Whitney, of the Bureau of Labor Statistics, who wrote the original charter.

A NEW TYPE OF UNIVERSITY

Dr. Louis Win Rapeer, the president and founder of the National School for Social Research, who was then a well-known research worker, educator, and author, had been president of another university, head of the department of education in another college, had taught in some 10 or more universities from one coast to the other, and had degrees from the University of Chicago (S. B.), the University of Minnesota (A. M.), and from Teachers College and Columbia University (Ph. D. and doctor's diploma in education), after graduating from the Indiana State Normal in 1902. He was recognized as one of the inventive and progressive leaders in the field of education and as a brilliant specialist and organizer in the science and development of education. He was not a professor of history, of English, nor of mathematics, attempting to create a new type of university, but was a distinguished professor of education, a specialist in the science of education, with many years of consecrated training, starting in 1897 in Indiana, and continuing summer and winter, day and night, up to the very top, a man well qualified to be the president of any university of the Nation or the director of any type of educational research. He did not want to be a routine director of a traditional university or public-school system. He had administered, observed, and studied many such attempts at education. Coming from experimental schools which he had developed or established and from the Federal Board for Vocational Education, where he had helped in the earliest researches on the rehabilitation of wounded soldiers, he was interested in creating here a unique institution that would produce a new and more effective type of adjustment to modern life for adults than was being secured.

He would gather together experts of the Government service and the District of Columbia, and in late afternoon and night classes and conferences they would study the process of education itself and make it reach more people, make it deal more with the problems which people face daily in their work and recreation, make it far cheaper for them than the costly universities that were doubling in expensiveness and becoming more exclusive, make it less of a begging institution than those universities that are constantly pleading with the rich or with State legislatures to hand them out millions to be spent as they choose, make its methods such as would be less of a pouring-in system, and make it the savior of thousands of teachers and superintendents and Government employees in offices who could not leave salaries and get away to college for a full year, but could take much of their work by correspondence, in vacations, and for those here in the District in night classes. The whole field of educating adults had hardly been studied by any agency. The possibilities of presenting to students the actual life situation by the case system of teaching and the problem method of training people to think on the actual problems of life—all this was an open field for research and consecrated devotion.

AHEAD OF THE TIMES

The task was one of pioneering. As Dr. Charles H. Lane, of the Federal Board for Vocational Education, well said in a recent letter to Congressman NELSON: "Doctor Rapeer was about 25 years ahead of his time in his plans for the institution. The fact of the matter is that he conducted the institution as would our leading educators if they were not bound down by academic traditions. * * * I should say that the Nation needs at least one experimental university at the National Capital." Moreover, the aim was not to lower standards but to raise them and to insure that students knew far more than usual on graduating. The new university was to have only small classes, below thirty, instead of the hundred or more common in big universities, and to put the hurdles high for all and pass no one who was not well qualified, and measured so by tests and a university council that for the higher degrees invited in disinterested experts to help examine candidates.

Every teacher was to be given freedom "to teach the thing as he saw it for the god of things as they are" and to lay aside the worry of the "big stick" and gossip, which is the bane of many college faculties. So the idea was new; the older universities had hundreds of alumni in the city; the interest of the faculty was in building the university instead of winning outside converts to a new idea. So explanatory propaganda was sorely needed and very hard to secure when the leader was giving some 15 hours a day to the task of internal construction and of getting students before endowment was available. Dr. John Dewey recently expressed the difficulty at Columbia University at the installation of Doctor Russell as dean of Teachers College: "The simple discovery that education is, first of all, a problem for study, for investigation and research and a problem so com-

plex and diversified as to demand prolonged and thorough training marks in itself an almost revolutionary departure from the older attitude."

But here we had scholarship, devotion, inventive genius, and persistent industry, coupled with a uniquely favorable outward environment. Hundreds of capable and well-trained men and women with the higher degrees were here available and glad to teach after 4.30 in the afternoon for half of the tuition of their respective classes, and many for nothing. No university located in a small town has such advantages available; and most "standards" created to apply to such colleges out in the country town are inapplicable here. Research University did not need the customary "eight full-time professors" of the traditional standards set up by some college associations since it had more than 80 part-time professors with qualifications superior to those possible to the small and struggling college. Instead of having the minimum of "25 students" it had over 800 in one college year. Instead of having to struggle for perhaps a half century to secure a suitable library there was available for the use of students here the greatest collection of books in the world, from the vast Library of Congress down to several thousand books of Doctor Rapeer's own library.

THE PLAN

Instead of having to beg for money to spend for buildings the plan was evolved of renting large down-town residences with very large rooms and high ceilings, renting out the top floor or floors as a dormitory for men, and of thus getting at very reduced or no rent the lower floor or floors for the university. Here at one swoop was eliminated one of the greatest agonies of many college presidents and faculties—practically selling their peace of mind to the rich to get buildings and yet more buildings. The principal buildings secured were, first, from the Red Cross at 1719 H Street, and later at 20 Jackson Place (on Lafayette Square for a campus and only a half block from the White House) an ideal center for Federal employees in evening classes and for others who might attend day classes. Instead of requiring much money for museums and equipment for natural sciences much of this matter was provided in our great public institutions here and by loan and gift from Government departments and others—one, for example, being geological specimens from the National Museum.

The ideal was to start with merely nominal tuition and gradually to reduce it by some means until it was practically nil, at least as "free" as at State universities, and to get endowment and help from Congress and others for this purpose. The old idea that a university must be seclusive and austere, with a "take it or leave it" attitude, was to be abandoned. Students were not merely to have education provided for them if they came but people were to be sought out, urged, and stimulated to "make the most of themselves." The ideal was to make two students grow where but one grew before in the National Capital and the Nation and to adopt for philanthropic purposes some of the persuasive methods of the great commercial schools run for profit. Education was to be made attractive and obviously worth while, closely related to actual human needs and under the guidance of men who were daily in contact with reality and were not mere bookworms and pedants.

With the recent great shower of letters of praise of the university received in response to the inquiry by Congressman NELSON, and which has been printed in part, also, in the House hearings of the District Committee, came a letter and a copy of an investigation of Research University made in 1921–22 by Dr. Charles W. Blessing, of Albany, N. Y., a man educated in the best universities of the Old and New Worlds and a professional educator. His story and survey of his findings there printed show Research to be one of the most promising and worthwhile institutions of the entire country, not merely in the city of Washington. (I should like to quote this survey in full, but refer to the volume of hearings.) Without entering into competition with other institutions here, the university has developed, first, this evening university work and has thus helped thousands forward with their education, and, second, has evolved the combination of correspondence and residence work which the older universities here have failed to initiate—a plan that gives as much as possible of the training by correspondence and the remainder in vacation residence. These are its two great fields for experimental development, not overlooking experimental development of new methods of teaching in colleges.

The extension work, partly because of Doctor Rapeer's specialty, education, for which he is well known, through his many books, articles, and pamphlets, appeals especially to schoolmen. Some thirty to fifty thousand school executives and teachers of the United States have for decades been failing to go forward with their professional training because family obligations, low salaries, the necessity for nearly year-round work, and the great expense of "going off to college" have prevented them from leaving their schools and giving up salaries for that "year of residence" which has become a veritable fetish among American colleges. Because some students needed a year in residence for natural-science work in university laboratories, because a year was the usual length of a course before the University of Chicago invented the four-quarter system, and because in the early days books were scarce, correspondence work was undeveloped, and Carnegie and other libraries were not widely scattered, the colleges of the country required a full year of residence, usually at one time, for any degree. This tradition has put up an obstacle, however, that has stopped the professional growth of thousands of school superintendents, principals, and teachers in this democratic country so much needing education. They are our "professionally retarded educators."

Schools are often somewhat "dead at the top" because correspondence and reasonably limited summer-residence work were not combined. "The laboratory of the schoolman is his school" is the new slogan. Most adults in school positions of responsibility have already had laboratory work in the natural sciences at some college. They need to be trained to study not so much books of theory in libraries far off from their work, nor chemistry or physics in a laboratory, but the many acute problems in their own school systems, where the children and teachers are. Half of the so-called professional education of such leaders by the old methods has probably missed fire and been wasted. Thus America is kept backward by reason of the lack of advancement of its school leaders, who in turn are retarded and discouraged by the traditionally long residence requirements of universities, especially for degrees above bachelor. Even where some universities, like Columbia, permit summer-residence credit toward degrees the summer session is usually but six weeks in length, and it thus takes about six years to make up 1 year of 36 weeks in residence; and where the summer quarter is 10 to 12 weeks long, as at the University of Chicago, the difficulty is that few superintendents and principals can get off for a full summer session, and several years are required, no matter how much progress has previously been made by correspondence. So the result is that there is a psychological and financial handicap on the professional growth and efficiency of those upon whom we must depend for the superior education of our children in this Nation to meet the increasing complexities and difficulties of life. Here is one extension problem to which Research University set itself early, and especially after 1924. It could insist on a full year of residence for all if this proved best, and does for those in the District.

EXTENSION CREDIT FOR DEGREE OF MASTER OF EDUCATION

It was soon learned, then, that for the master's degree, or that of master of education, all of the time—that is, a full year in residence—was required at many universities and that this was regarded as an inviolable tradition—that no work by correspondence could be counted toward this "fifth year of college."

A few progressive universities in the West had begun to meet this problem by use of the subterfuge of calling graduate correspondence work "projected study." But usually a person must get off a full year at one time to get a higher degree beyond the bachelor's degree; and the schoolman feels, in many cases, that he might as well give up and remain a plodder with the lower degree and training only. At great cost our president had worked himself through the Indiana State Normal School, graduating in 1902, after teaching several years, and then gradually through other of the best institutions to the highest degrees. But few had his health, industry, skill, and freedom (until 1908) from family and other burdens. He saw that for schoolmen (however it might be for natural scientists) it was folly to try to force them to put in all or even half of the time in residence; and that one or two short summer sessions were quite sufficient, after a long period of effective correspondence instruction and original research in the laboratory of the schools, to make schoolmen professionals instead of mere theorists. Research University therefore announced in a 1926 catalogue that the residence time would be lessened and that a large part of the work could be permitted by correspondence for the strictly professional degree of master of education.

But this plan was also unheralded. For, traditionally, universities gave no credit toward the master's degree for education by correspondence, even though the training was several times as effective and laborious as sitting in the typically large classes or writing the usual thesis, which was here abolished. The master of arts degree was especially under the taboo that required residence classwork only. Research University decided to avoid objection from the conservatives by giving only the professional degree of master of education and of reducing residence time below a half year for only professional degrees and to require a full year of university training by correspondence, no matter how long it took, and a full quarter, or two short terms of five or six weeks, here at the university for this degree. Of course, these are mature students with one or more years of residence in college and with teaching experience, and a number are over 50 years old. Thus we require 38 semester hours instead of the usual 24 semester hours and a master's thesis. The standard was indeed raised so high that no university, no matter how reactionary, could legitimately complain; but we have seen that one of the association officers, whose function it seems to be to help colleges to continue looking backward, has caused some trouble with the recognition secured by the university in 1921–22 with nearly a hundred colleges and universities and with many that have since accredited us. Sympathetic understanding is needed.

HELP NOT HINDRANCE

Of course, the full light of truth must be thrown upon such underminers of mutual good faith among educators and colleges; but such a process costs money; and my speech to you is one means available for

helping our institution to grow untrammeled and to continue its noble work instead of being injured by doubts subtly raised as to whether it is maintaining "standards" and is "accredited." It is blazing a trail; it is more than maintaining standards. Its graduates will have their place in the sun along with those from the oldest and the largest universities—with which many of its graduates and students very favorably compare it in the many letters to Congressman NELSON previously mentioned.

WHY STUDY BY CORRESPONDENCE?

By modern correspondence training the student has many decided advantages. He may do his work when convenient; he may utilize leisure hours; he may drop his work and take it up again; he has it constantly before him, stimulating him to go forward to the best of his ability in his cultural, business, or professional growth. He can hook up what he learns daily and weekly with his life work and can thus practice that most important psychological doctrine of "use or lose." He can constantly use and retain and work over and modify and re-create within himself what he learns. These and a hundred other advantages inhere in this rapidly growing service that will in the future reach a large proportion of our adult population by one of the most skilled forms of training ever devised and now in the process of rapid experimental improvement. Many other universities will adopt the plan within 50 years, but present schoolmen need present help.

The correspondence student must solve all problems, face all "cases," and recite on all questions, rather than on a small part, as in residence. He does not sit and listen to others recite and grow; he must do all the reciting and growing himself; and there is no way of evading the development—while anyone can sit in many university classes for years without contributing, growing, or doing much. A student, for example, is reported as having attended but twice in a year in a very large class, and yet as having "passed" and having received a degree. The stories of such "college fooling," with degrees passed out at the end of a period of years, are revolting to all friends of economy and national hardihood and ability. The really fraudulent universities to-day are the ones that must resort to enormous classes to teach all who apply, and that then give out degrees when the "sentence" of sitting in class is served. This is the very opposite of the process of correspondence work and, especially, of our system at Research University. The difference is almost that between having a book read to you in class and in writing the book yourself in private.

WHAT EDUCATORS THINK OF RESEARCH

Principal H. D. Vincent, of School 16, Troy, N. Y., says, for example, in one of the many letters to Congressman NELSON:

"I have three degrees earned elsewhere, and I know what work is like. The big criticism I have to offer in regard to Research University is that it requires so much that the wonder is that anyone ever finishes. The instruction is of a high order and faithfully done. More is required at Research University than is required at most institutions for the same credit. One assignment of your work is equal to about two weeks of work at State College for Teachers at Albany, according to what my friends say."

Superintendent of Schools L. J. Belt, of Wheatland, Wyo., says:

"I have attended day classes in five colleges and universities and can truthfully say that the course I am taking from Research gives me more of a conscious feeling of accomplishing something than almost any course I ever took."

Superintendent Cotton, of Derry, N. H., says:

"I am a college graduate, Colby, 1900, also of the University of Maine Law School, 1906, a member of the Massachusetts bar, 1906, Harvard University, 1927, with the degrees of A. B., LL. M., and Ed. M. (Master of Education). The educational philosophy on which Doctor Rapeer bases these courses is the best I have ever read * * *. The subject matter of the courses I am taking is sufficiently difficult to be called 'advanced' when compared to other courses I have previously taken * * *. A university at Washington so organized, to do work such as this, should be the pride of the Nation."

Please hear also from one of the first graduates of the 1921 class, who is now practicing her profession in New Haven near Yale University—Miss Alice M. Hopkins, A. B.:

"I was a student in this university from its opening until 1922 * * * and I am glad to be able to say that during this time the professors and instructors were all experts in their lines, and that the instruction was of high grade, equal to any I have since received in such universities as Columbia and in the teachers' courses offered at Yale University * * *. I feel that Doctor Rapeer's idea of a cooperative university, with an opportunity for everyone to get the education needed to advance him in his life work, at such hours and on such terms as would enable him to take advantage of it, is a great contribution in the field of experimental education for adults."

Superintendent William E. Melvin, of the Lordstown centralized schools, Warren, Ohio, also voices the judgment of the group from evidently long and intimate experience:

"I have attended three of the great universities of our land, namely, Ohio University, the University of Cincinnati, and the University of Colorado. I consider the instruction given by Research University absolutely on a par with these; and I have found Research even more exacting in the preparation of lessons."

There is the story; and there is the truth! And this seems to be the consensus of opinion among all those who know. And my temptation in selecting passages for this speech was to include many complete letters and hundreds of extracts from letters of resident and correspondence students. Many of these, however, have been printed in the hearings on the favorably reported bill and some appear below.

WHY THIS REFORM IN HIGHER EDUCATION?

"Well, why don't these schoolmen study regardless of degrees?" said a Senator at one of the hearings. The reasons, very simply and sufficiently, are: First, that degrees are required for professional advancement and increase of salary in a growing number of States; second, that students can now get a year or two of credit or more toward bachelors' degrees from most of the large accredited universities for correspondence work, and colleges yet do not see the need of increasing this credit; third, that the work for the "fifth year of college" is not essentially different from the fourth year and should be treated and accredited in much the same way; fourth, that a man who has completed a course of training is entitled to a symbol that indicates he has made certain achievements and has these abilities; fifth, that students are getting degrees for residence work in large classes of far inferior quality to correspondence work, and in examinations far less carefully safeguarded, as in the "honor system," so called, which Amherst has just abandoned; sixth, that since school boards can not always judge merit except by degrees, and since superior professional fitness is not always recognized, schoolmen and their teachers have not a sufficient incentive to lay out money and an immense amount of hard work in their leisure hours to engage in the correspondence training, although, of course, many do, to their great honor.

These and other factors combined tend to make education unattractive and seemingly impossible. The result is that very many of the school systems of the country are relatively "dead at the top" and partly dead within, because the teachers, superintendents, and principals are not growing as they should be. They are stagnating because of a stupid system which robs them of incentive and which forces them out of the schools. It gives the man of wealthy parents the advantage, and the man of wealthy parents usually does not go into teaching, although salaries of from $5,000 to $10,000 are now becoming common in this field, and some superintendents of schools are paid as much as $20,000 and have the most important responsibilities in this Republic. Moreover, not to grant degrees to deserving men and women for correspondence plus residence work is unjust and puts the cost of instruction and publicity too high to provide the service.

GREAT COST OF THE SERVICE

He who sells education must be a very great salesman, indeed; and he who gets people at a distance to take their scanty leisure and to give it over to hard work in correspondence study must be a "past master." He who buys an automobile, a radio, or a house buys immediate satisfaction and delight. He who purchases a correspondence course makes himself for a time a slave, and one who must command all of the forces of his nature to cause himself to labor, to write, to think, to persist, and to finish the work. There is the real reason why so many people fail to take or to complete correspondence courses! Without agents, "business methods," and high tuitions (to split with agents), such courses can not be provided on the scale and quality of those of Research University without very great personal sacrifices or much money in the form of gifts to make up deficits. That Research University is working out economical methods by experimental research for doing this great job for the Nation is to be highly commended and praised! Only little souls will fail to help it render this service to the Nation.

Thousands of letters come to the university each year. Each entails a cost of about 20 to 50 cents for a careful personal reply by an expert. Many letters are usually needed for each person. Out of these thousands of letters comes a personal acquaintance and awareness of the actual facts of life and of the educational needs in the field as they are that can be acquired in no other way. No one who has not read these thousands of letters for years and generalized wisely on the outstanding facts is competent to challenge the plans of work devised by those who are here giving their lives to this training. And no really professional expert on education will even dare to speak authoritatively on correspondence instruction, this field being as yet largely untouched by research, and genuine experts avoid dogmatic opinions on what they do not know. Yet here in the hearings we have heard dogmatic and silly assertions made by persons who are not educators, who are not college professors, who know nothing about the science and facts relating to this problem, and who do only harm to education and society.

Such testimony and such an "expert" as one who has, for example, been only a teacher of English in a college, speaking oracularly on correspondence work and university standards, bears out the witticism now going the rounds that such "an expert is an ordinary man away from home." What those in Congress need to do is to discover the real experts and to give them the best help and the greatest encour-

agement possible to go on and to discover how best to educate the American people. If large bodies of universities in associations must move slowly, let a few go forward. We must protect the men and women of Research University from the cynics and others who would hinder the most cordial recognition and acceptance of their acts by all universities. Any other course strikes at the very heart of American methods and ways of growth. We must give our universities freedom, as 36 States do, and not retard them by the "cancer of too much government" and standards out of touch with a changing reality.

GENERAL ACCREDITING

The more than a hundred colleges and universities and State departments of education that have recognized Research University in the past will be multiplied until there is none that does not credit it. And to those persons now students and to those who will be students in the next 50 years I say that it is far better to study with a live, small institution than a big, dead one; and that if you will stand by the university, as you have in this matter of the proposed unwise legislation, it will stand by you and will grow until it will be one of our best beacon lights of educational research and school improvement. Furthermore, I say that if a college, State department of education, or other agency questions legitimate credit for your achievements and full recognition of the university, let us know, and such matters will be immediately rectified or you will be given the privilege of going forward with Research University to the very highest degree, that of doctor of education, when you will be beholden to no other university or State department of education for accrediting.

These things are swayed now too much by custom and fashion and by gossip. The only person besides Congressman NELSON and Professor Loftis who has ever really investigated Research University at all thoroughly on the ground was Dr. Charles W. Blessing, and his conclusions are full of praise and encouragement. Dr. Charles H. Lane, Prof. Philip E. Bunker, and others who got their degrees as far back as 1921, are in high positions and should be justly proud of their degrees. I say to you alumni, let no one injure your pride in your own. You know that you did standard work and that you received standard recognition that others may refuse to accept at their cost. Thus would I speak to the graduates. Have the backbone ever to work for your alma mater, even if she doesn't live in a palace and doesn't beg for her income!

SERVICES OF REGISTRAR SAUNDERS

I suggested before how interestingly the work is organized and conducted. The registrar, Mrs. Virginia H. Saunders, a graduate of the University of Wisconsin in the class of 1902, has reared a family and has had a rich and varied experience. She studied in the evening classes of Research University for a year or so, getting her master's degree in 1926, and, not wanting to be a burden to her husband for her training, worked in the university office with other students for her tuition. Gradually the ideal opportunities for adult study opened out and appealed to her so much that she has for three years been giving her services without financial compensation to the university as registrar, and knows it more intimately than anyone except the president, who is the present guiding officer of the institution. She says that it is a constant surprise to her how great is the need of this training, how little this need is being met by other institutions, and how expert and worthy this service is of the most generous financial and moral support. I believe that this judgment is sound, as is also the judgment of her husband, who visits the university daily and cooperates with Mrs. Saunders in the contribution of her services to this worthy cause. I have talked with our faculty members, other trustees, and with students, and they are mature and far above the average, the kind of people who unselfishly are molding modern life and helping it to overcome its serious handicaps. And they all boost for Research.

REQUIREMENTS FOR DEGREES AND CREDITS

I have mentioned the evening and the summer classes in residence. The general credit requirement for these and for the extension work is the usual 120 semester hours for the bachelor's degree, and 30 more for those in residence, and 38 for those by correspondence and summer residence, for the master of education degree. Some of the best of those students who complete the work to the degree of master of education may be permitted, experimentally, to go forward to the doctorate in education. The president's interest is largely in this very advanced field and in getting hundreds of schoolmen to work on school problems that can be solved only by local experimental research.

The typical extension student is supposed to have had at least two years of college work in residence before he enrolls with Research University; and in this way he gets his natural sciences which, as stated, we do not teach by correspondence, excepting biology. We prefer also not to teach the foreign languages in this manner. We do not for good reasons require the foreign languages for degrees in education. When he comes during the summer session the student may be asked to enroll for some of his classes at another local university here also, for which he can receive residence credit at Research.

HOW STUDENTS WORK

When he completes the 36 sections of a year's course by extension, the student may take an examination before a local supervising examiner if he wants college or State credit. But if he wants a degree from Research University he must take further examination on these subjects when he comes for his residence work. No one can get a degree without residence work, and no one can get a degree without final oral and written examinations on all of the work counting toward that degree. For the degree of master of education there are five extension subjects and a term in residence beyond the bachelor's degree. For the bachelor's degree the requirement is the equivalent of 20 subjects in which classes recite three times a week for a college year, five subjects making the equivalent of 15 hours a week, the standard performance, if not achievement, that has become a custom in our colleges. An ideal course of 20 subjects is suggested to students for the four years of training. Yet all work is based and selected on intimate knowledge of the individual student and his needs. Every extension student sends in his photograph; and a very good idea of the quality of the extension students is gained by looking through the albums of portraits.

These men and women, as stated, are for the most part above 30 years old and are of a distinctly student and professional type. They are persons who have the character, persistence, and courage to study for themselves and to make sacrifices to get ahead. They are distinctly not of the type that is "sent to college," there to invent ways of "killing time and spending dad's money." The whole university is on a much higher plane than this, and is more like a cooperative graduate research-institute in the field of education.

The undergraduate work is divided among the three colleges of Commerce, Education, and Liberal Arts. The only division that goes higher than the bachelor's degree in these three lines now is that of the College of Education. No school of medicine, dentistry, law, or of other similar professions is offered. A school of religious education has been in operation but is not actively seeking new students. Our extension work is mainly for educators, not pastors.

Fundamental education in the social and natural sciences and higher specialized training in business, education, and the allied fields is provided; and good teachers are connected up with good students. Lesson papers are sent in to the university, out to the instructors, most of whom are in Washington, in to the university after being corrected, and out to the student after being supervised and recorded in the office. The system impresses me as being original, thorough, growing in efficiency, and eminently worth while. Certainly such a service has more promise of usefulness to the Nation than many an old-time university; and it should receive the first attention of discriminating philanthropists. It is remarkable how far the institution can make a little money go. Our main expense is for printing. The professors teach for 25 cents a lesson ("section") or less. Each subject, consisting of a year's work and giving six semester hours, or nine quarter hours, of college credit, now costs the student only $27 cash, or $30 in installments of ten to twenty dollars a month. Most students take from three to five subjects at a time. You can see that this leaves little money for university overhead and nothing for the ordinary magazine and newspaper advertising or the commissions of agents. We use no agents; but it may require agents and a higher tuition rate to make the system financially successful, because of the great difficulty of getting people to enroll for courses of work when the movies, the radio, the dances, and the autos are so seductively claiming so much of their leisure time and when our recognition is being secured over the entire area of the United States.

HARD INTELLECTUAL WORK AIDED

These forces and others are the chief foes of extension work and of night classes. The tendency is unfortunately toward easy living and flabby minds. While the standards of education are rising for many positions, those who want to rise must meet all of these dragons and slay them if they are to succeed in securing even part-time professional and cultural growth. Any institution that helps people in such work is worth an immeasurable amount to this Republic; and how any person can lay one stone in the way of Research is inconceivable. That any one or any group should belittle its service shows plain misunderstanding. Here we have a great educational reform and vision. Are we going to be so ignoble as not to catch the vision and to help forward these reforms, when every day brings new alarms showing the need of more superior education than we now have to meet the grave perplexities of modern life? No! Research University will soon be recognized as in the van of progress and as an aid to all colleges and individuals.

THE FUTURE

This is the type of institution which should be encouraged to grow and to provide its training for men and women who can not spend all of their time at college in residence. The solution of the problem of coordination in the District of Columbia is not one of giving the local school board more powers but very probably that of forming by statute a board of higher education that will assist all institutions of higher learning here and prevent abuses of the incorporating powers. Thus the District of Columbia could take a step in advance of any State in the Union. The Nation wants not less education but more education and more kinds of education; and it must promote, not hinder, experimentation and devotion to the public welfare.

EXCERPTS FROM LETTERS TO HON. JOHN M. NELSON, OF WISCONSIN, RELATIVE TO RESEARCH UNIVERSITY OF WASHINGTON, D. C., AND REPLIES OF STUDENTS, TRUSTEES, FACULTY, AND ALUMNI TO AN INQUIRY WITH ESPECIAL REFERENCE TO THE EXTENSION TRAINING BY CORRESPONDENCE

SUPERINTENDENCY UNION OF THE TOWNS OF
DIGHTON, FREETOWN, AND BERKLEY, MASS.,
May 6, 1928.

DEAR SIR: I have your letter of April 30 asking for my frank opinion of Research University.

My connection with the institution is briefly that of submitting to them from time to time material of constructive investigations that I am doing in connection with my regular work. It is precisely the same as work that I would otherwise do with Harvard under a course in individual research such as, in the Harvard catalogue, carry course numbers of over 100 in their respective departments. I need only say that, since I can do this work under the auspices of either Brown University or Harvard, as I might elect, the fact that I am working with Research University is due only to my finding, after experience with all three institutions, that Research University is in this respect the full equal in excellence of the other two; and, to me, preferable because I can adjust correspondence to my schedule better than I can monthly conferences that pass for residence.

Regarding credits, I can say nothing. In work of this sort no specified credit is prearranged at Harvard or Brown. When the work is completed such credit is given as the work is considered to merit. I have asked for no credit at Research because, in the first place, my work is not as yet finished; and, in the second place, I am not especially interested in credits, as I have already from Brown, Harvard, and Yale attendance acquired a fairly adequate supply of letters for ordinary purposes. My impression from general contact with Research is that credits from them would be harder to extract than from any institution with which I am familiar.

I may say, in passing, that this district encourages, almost to the point of compulsion, teacher study. My teachers are regularly working with Harvard, Boston University, Brown, and Teachers' College, Columbia, on summer and Saturday courses. I am expected to adjust salaries to the value of such courses. If I did not consider the work at Research of equal value, I should not accept such work for salary credit, let alone recommending it as I now am. I consider Research, on its merits, the full equal of resident work anywhere and also a unique service to educators in service that for many is an absolute necessity.

Sincerely yours,

EDWARD L. HILL,
Superintendent of Schools.

MILLERSBURG, OHIO, *May 3, 1928.*

Hon. JOHN M. NELSON, M. C.,
House of Representatives,
Washington, D. C.

Hon. JOHN M. NELSON, M. C.: I can faithfully and honestly say that the type and kind of work conducted by Research University of Washington, D. C., is of a high standard and is also well done. In quality the instruction of this institution is equal to the lecture method, recitation, research, or experimental work of institutions of university rank. In quantity the requirements exceed in most instances those of institutions which have all the work done in residence. I have done more work in this institution than any other that I have attended for the same number of credits. The credits are properly safeguarded by an examination in absentia on extension work and another examination at the institution in residence. The institution requires a portion of the work done in residence for those who are working for degrees. Many students go to the institution for conference periods on work at various intervals. This attendance requirement in residence and the giving of examination in residence at this time carefully safeguards the matter of examinations upon which credits are based.

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I have my bachelor's degree from the College of Wooster, my master's degree from the University of Wisconsin, and have been superintendent of schools for 21 years, with additional 5 years of teaching. With this experience in educational work I am fully persuaded that Research University is making it possible for many a person who is limited in means and must be employed the major portion of his time to secure a higher education. I have worked my way through school from the beginning, with no financial help whatever; and the aid of such an institution of high standards and good efficiency, where work may be carried on partly in residence and partly in extension, makes it possible for me to work out my doctor's degree.

An institution of high standards of this type should be maintained to meet this need of a great number of such men who are at work in the schools of our Nation. In this way I feel that Research University is rendering a great service to our general educational program by giving up-to-date and efficient training to many superintendents and principals. The research work and the experimental work done by this institution are of an exceptionally high character and are worthy of due recognition.

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Yours truly,

J. A. GERBERICH,
204 East Jackson Street, Millersburg, Ohio.

FEDERAL BOARD FOR VOCATIONAL EDUCATION,
Washington May 8, 1928.

MY DEAR MR. NELSON: On return to the office I find a circular letter from you under date of April 30, relative to Research University, located in this city.

At the time I was familiar with the work of Research University the instruction was of high standard and faithfully done. The faculty was composed of men who were then in the employ of various departments of the Federal Government. They were men who had had unusual academic preparation in our larger universities and were then doing notable work as employees of the Government.

The instruction in the institution at that time compared very favorably with the usual methods employed in our colleges and universities which carry on evening instruction.

The credit requirements were based upon the same credit requirements as are found at Chicago University and like institutions.

Credits in the institution were based on carefully safeguarded examinations and on residence and attendance here in Washington for those who were working for degrees.

I have no knowledge whatever of anything done by the president, registrar, trustees, or faculty of which there could be any legitimate public complaint. I am confident in saying that Doctor Rapeer was about 25 years ahead of his time in his plans for the institution. The fact of the matter is he conducted the institution as would our leading educators if they were not bound down by academic traditions.

I should say that the Nation needs at least one experimental university at the National Capital.

Very truly yours,

C. H. LANE,
Chief Agricultural Education Service.

WASHINGTON, D. C., *May 29, 1928.*

Hon. JOHN M. NELSON,
United States Capitol, Washington, D. C.

MY DEAR CONGRESSMAN NELSON: I have taught for 30 years in colleges and have for 7 years been a professor of education at Anderson College and a summer instructor at Furman University, South Carolina. For 20 years I taught at Berea College in Kentucky; and during my entire career I have specialized in education and allied subjects, especially in the supervision of teachers. The highest degree I could get at Berea was that of bachelor of science in education.

I had long known of Dr. L. W. Rapeer as a leader in education and an author of standard works for teachers; and one of my associates at Anderson College, Mr. Holliday, now president of Millersburg Woman's College, Kentucky, told me in recent years that he had studied in residence at Research University when he was president of a school in Virginia and that I could get exceptionally good training in residence and by correspondence with Research University and thus go forward to the degree of master of education, from which I had been kept by my need of money to support dependents. I taught summer and winter, except for a year off at Peabody College, when Berea paid my salary. Consequently, the opportunity to study for a degree that seemed necessary for promotion and change to better positions, seemed providential; and I gladly availed myself of the opportunity to investigate Research University.

The result was that I registered and have been studying, by correspondence, educational statistics, educational research, educational supervision, etc., and have learned that these graduate courses are exceptionally thorough and well organized. I did not know that they could be so educative and could take so much time and effort. Certainly anyone who completes a subject with Research University knows his subject better and is able to use it with more facility than most people in classes in colleges. During the past year I have taken an extension course in classes from Columbia University, and I find the level of training and methods on the same high plane. Of course, in correspondence work one must do every part of an assignment himself.

I have been in residence, also, at Research University and know that no one can get a degree there without being in residence and without meeting the very highest standards. If anyone who was doubtful would just take a course and go through the final and other examinations he would realize the effectiveness of this institution. Research University is meeting a great need of educators over the country and is helping many like myself from blind alleys.

Very truly yours,

M. ADELIA FOX.

THE NEW JERSEY STATE COUNCIL OF CHURCHES,
Dover, N. J., May 3, 1928.

Hon. JOHN M. NELSON, M. C.,
Washington, D. C.

MY DEAR SIR: It is with great concern for the future of educational research and of pedagogical progress that I write to urge upon the Congress the enactment of the amendment to safeguard the charter of Research University of Washington, D. C., Dr. Louis W. Rapeer, president. The history, work, influence, and prospects of this institution are unique.

I have taken many courses at a number of different institutions during my half century of life, and with none have I been better pleased than with the work which I have been doing with Research University.

New York State normal school, Temple University of Philadelphia, Drew Theological Seminary of New Jersey, and New York University are among the institutions at which I have studied. I am particularly interested in religious education, and I have taught several years in public and private schools. Research University has opened to me a new world of practical educational theory and practice. With all the emphasis at my command, I say that it should go on unhampered and unhindered.

I have worked harder at the courses here taken than with almost any taken in all my life. Doctor Rapeer takes great care to deal with each individual and does it in a way which is not possible in the crowded classrooms of the ordinary institution. One soon comes to feel that he is in close touch with the institution and that he is receiving personal and special attention. I can not tell you how much this means to the student, especially the graduate student.

Individual initiative is encouraged and each student gets at his instructors with his questions, problems, and ideas in a surer way than he can do in a crowd. The ordinary lecture method "stuffs" one with facts and ideas, but the Research University method develops research, reflection, judgment, and invention to an altogether unusual degree.

Research University students take their examinations at the university itself and under the eye of the officers. Examinations are as uniquely personal as is instruction. Students could not possibly get away with deception or tricks, as is very often the case in crowded examination halls. Of course, the class of students accepted for work at Research do not wish to "get away" with anything. The entire history of the institution and conduct of those connected with it is, I am sure, above question or reproach.

The United States certainly should have at its center such an institution as this. In the hands of Doctor Rapeer—a widely known teacher of teachers and author of educational works of great merit—the university is destined to play a large part in a field where original thought, personal development, and individual initiative are absolutely essential to progress. And the Capital City of our country is the precise place where that institution should be located.

The growing alumni of the university greatly appreciate your efforts in its behalf. In course of time we shall be able to help put it on a better footing as to endowment and equipment. It is comparatively young, but it is already highly useful and greatly needed. I searched for some time before deciding to take work here, but am more than pleased with my choice.

Yours respectfully,

JOHN H. EARLE, *Pastor.*

WASHINGTON, D. C., *May 10, 1928.*

DEAR SIR: I have a copy of your letter of April 30, 1928, requesting information concerning the work done by Research University.

I became a member of the faculty of Research University in the fall of 1922 and took charge of the chair of geology. I have the degrees of LL. B., LL. M., B. S., and M. A. In October, 1923, I was sent to the Pacific coast by the Interior Department and during most of the period I was in the West my connection with the university was severed.

Doctor Rapeer is a learned scholar and author, with many degrees from different universities. He has always been fully absorbed in his duties as teacher and administrator.

As my instruction proceeded I had occasion to handle classes in other subjects. Everything was splendidly organized, and all students were on tiptoe to bring their subjects up to the requirements. Doctor Rapeer filled all the character of a gentleman and a scholar at all times. No degree was ever sold, although offers were made to him at times of as high as a thousand dollars for a degree. There have been issued in all only about 50 degrees in the course of some eight years—about six degrees a year. The requirements for credits and degrees are stern, as I know by experience, having obtained my master of arts degree from this institution.

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No degree is ever given without residence work being required, as in the best colleges.

I have been handling and marking examination papers in history since my return from the Pacific coast. They would pass criticism anywhere, and many of them show a high degree of critical knowledge. I have not had to mark any of them "deficient." A few get "A," most of them "B," and some of them "C," which is passing mark.

There can be no valid criticism made of any member of the faculty. They are all ladies and gentlemen and scholars.

There is, indeed, a crying need in the city of Washington for such an institution as Research University.

Very truly yours,

VICTOR L. DODGE,
2554 University Place.

THE PENNSYLVANIA STATE COLLEGE,
State College, Pa., May 9, 1928.

DEAR MR. NELSON: Thank you for the opportunity to answer your note of April 30, 1928.

I heartily oppose the bill giving the licensing of incorporated schools to the board of education, especially as it may affect Research University of Washington, D. C.

Its instruction is of high standard and faithfully done; its comparison with other and "old-time" methods of instruction is most favorable; its credits are equal to our own; its credits are based on carefully planned and equally safeguarded examinations and on a minimum residence requirement. Our Nation does need one such university at the National Capital of the caliber of Research. Nor can any legitimate public complaint be made of any of its officers or staff.

Personally, I can best indorse it by saying that I should be highly honored to be a coworker on its staff. To a teacher that means a lot.

Sincerely,

ROBERT E. FLANAGAN,
Instructor in Classical Languages.

ROCKSBORO APARTMENTS, APARTMENT 509,
1717 R Street NW., Washington, D. C., May 8, 1928.

MY DEAR MR. NELSON: It is with great pleasure that I take this opportunity to tell you of my very cordial and cooperative relations with Research University. After graduating from high school at Evansville, Ind., in June, 1926, I began to despair of going to college until I heard of Research University. Here Doctor Rapeer made it possible for me to go on with my school work by giving me employment in the university office, and in return for my work gave me my tuition, a room in the dormitory, and $5 a week. He also found a part-time job in a restaurant for me, so that I was practically self-supporting. Other students were offered similar opportunities, and at the time that I entered the university several students were working in the office.

I attended night classes from October 6, 1926, to July 15, 1927, and was much benefited by the courses. The personal guidance, encouragement, and instruction were very gratifying. Furthermore, the experience which I received while working in the university office helped me directly in obtaining a position with the State Department. The university went even so far as to lend me a typewriter with which to take the examination for this position.

Naturally, in the time I was with the university I became well acquainted with its officers, and especially with Mrs. Saunders and Doctor Rapeer. I found that they held high the standards of all work and quickly discouraged any backsliders or would-be diploma purchasers. They were always willing to help conscientious persons who were really looking for instruction and help, and the cordial attitude shown me was accorded them alike.

While with the university I made the personal acquaintance of several correspondence students who were doing residence work; they were all men of high moral standards, scholars, and gentlemen. None of them at any time so much as intimated that he was dissatisfied with the training he was receiving. In fact, before the news of the investigation by the district attorney's office got abroad not one of the correspondence students, to my knowledge, expressed dissatisfaction or doubt; on the contrary, the university has on hand "rafts" of letters praising and commending this phase of the university's work.

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Since you have so whole-heartedly taken an interest in this matter, there is no need to go on further in telling what has been done by the enemies of the university. But in closing I wish to say that I am heartily in favor of an experimental institution such as is Research University and should be bitterly disappointed if an institution with such high standards and educational possibilities should go down, as an "innocent bystander" in a diploma-mill fracas. I believe that Research University is an institution of learning from the ground up.

I should be very glad to meet you personally and give you any additional information or answer any further questions which you would like to ask.

I thank you for what you have already done in the interest of education.

Very sincerely yours,

EDMUND BECKER.

VANDALIA CITY SCHOOLS,
Vandalia, Ill., May 7, 1928.

DEAR MR. NELSON: In reply to your letter, I beg to say that I have been doing work with Research University for nearly two years and have planned to spend this summer there. The instruction given by Research is equal to any I have ever received elsewhere. It is of high standard and faithfully done. The credit requirements are equal to those of other schools. Credits are based on carefully guarded examinations, and residence work is required for those wanting degrees.

* * * * * * *

I think the Nation needs such an experimental university at the National Capital. It would be a serious mistake to curtail the work of Research University. I have served as superintendent of city schools for 12 years and as county superintendent for 16 years, and have kept in close touch with school work during this time.

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Yours truly,

F. E. CRAWFORD, *Superintendent.*

THE UTICA SAVINGS BANK,
Utica, Ohio, May 2, 1928.

DEAR SIR:

* * * * * * *

I have taken, by correspondence, several courses from this school in subjects relative to my own profession, which is banking. I can truthfully say that these courses have been of a very high type. As you know, many of the larger colleges and universities of the country offer correspondence courses for which they allow regular college credit. I chose Research because it seemed to offer the same courses at a much lower tuition charge. Now, after having taken the courses, I feel sure that the instruction which I received could not have been bettered anywhere.

Although I am a graduate of one of the large universities of the Middle West, I feel that there is much room for improvement in our American system of education. Research University fills a need which really exists, and, if permitted to carry on its present program, should accomplish much in solving the problems of part-time education. We are indeed fortunate in having a man of the caliber of Dr. Louis Rapeer, who is interested in working out these problems in what might be called an "experimental university."

Yours very truly,

WILBUR L. GRANDLE, *Cashier.*

RIO GRANDE COLLEGE,
Rio Grande, Ohio, May 16, 1928.

DEAR CONGRESSMAN NELSON:

* * * * * * *

I am at present enrolled in this university for work looking toward my doctor's degree. Having done work for my master's degree in our own State university—Ohio State University—I believe that I am in a position to be a judge of work done by Research University.

The Nation needs one experimental university at the National Capital, and I believe that Research University will give to men such as myself an opportunity to do research work while at the same time doing active work in the field.

* * * * * * *

Very truly yours,

W. A. LEWIS,
Dean Normal Department and Acting President.

CONTINENTAL PUBLIC SCHOOLS,
Continental, Ohio, May 5, 1928.

DEAR SIR: In answer to your letter of recent date relative to the work done at Research University, I am pleased to say that I have taken some work from this institution and regard the work of the very highest type. Every paper I turned in for correction was carefully marked by the instructor; even the omission of a comma was corrected. The examination was difficult which I took at the university, and it was carefully graded.

The president, Doctor Rapeer, was always truthful with me; he does not promise anything that he does not give, so far as I know. I was in Research University six weeks doing residence work, and I always found everything equal to that of any college or university of which I have had any acquaintance.

The correspondence work of this institution is of a higher quality than of other correspondence schools, in that no credit is given without actually being in the university to take the final examination.

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I consider the work done at Research University of the very highest type. A visit to this university and Doctor Rapeer will convince the most doubting person.

Very truly yours,

JAMES A. ROGERS, *Superintendent.*

MILLERS FALLS, MASS., *May 10, 1928.*

Hon. JOHN M. NELSON,
Washington, D. C.

DEAR SIR:

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The instruction seems to me to be of high standard and faithfully done. I am a graduate of the Massachusetts Agricultural College and am now doing graduate work there. I have studied at Columbia Teachers College summer session and taken correspondence courses from Chicago University. I see no reason to rate the work of President Rapeer below any of these.

As I understand, Research University attempts to be more liberal than most other schools of its grade in allowing credit for work done outside residence, and thereby is rendering a great service to many who have done good work but can not spare the time or expense for long residence. I have every reason to believe that high standing is always demanded and that satisfactory examinations and necessary residence are required.

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With the enormous amount of material suitable for study gathered in Washington and constantly being increased, it seems to me that there is no place on earth more suitable for the location of an institution of university grade giving large place to research work. I should consider it an injury to the public welfare if Research University were discriminated against in any legislation or if it and other similar institutions in the District of Columbia were put under restrictions or any form of supervision or restraint not found necessary in other parts of the United States.

Respectfully,

D. F. CARPENTER,
Superintendent of Schools.

NORTH ARKANSAS ANNUAL CONFERENCE,
METHODIST EPISCOPAL CHURCH SOUTH,
Searcy, Ark., May 2, 1928.

DEAR SIR:

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Something more than two years ago I began to study under the direction of Research University. Last summer I spent some time in resident study there. I belie that I am well acquainted with the methods of Research University and with the members of the faculty.

The instruction is of the highest standard and is very faithfully given. I have studied both by correspondence and resident study, and I am frank to say that I have received more actual benefit from the correspondence method. The credit requirements of Research are equal to any other college or university with which I am acquainted. The credits given are carefully safeguarded by strict examinations and resident study. I have never found the president, the registrar, the trustees, or anyone connected with the university slack in any respect in the management of the university or in granting credits. I have the fullest confidence in Research University and I am glad to recommend it at all times.

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Yours very truly,

J. E. COOPER,
Pastor Methodist Episcopal Church.

AMERICAN BIBLE TRAINING SCHOOL,
Brooklyn, N. Y., May 4, 1928.

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MY DEAR MR. NELSON: I have had opportunity to become acquainted with the standards maintained by this institution, and it is my opinion that their students will have to work rather longer and harder for degrees than in any other university of which I know. In addition to my own studies in Syracuse, Columbia, and New York Universities, I have made a study of methods in various institutions, so that I feel that I know whereof I speak.

The foundation principle of the instruction given by Research University is more sound pedagogically than are the principles followed in most schools for the training of teachers. The student is required to do much of his work in connection with actual teaching in the school where he is employed, submitting frequent reports by correspondence during the year, and during a vacation period each year going to Washington for an intensive review and seminar session at Research University. It is my earnest conviction that this type of teaching is much more effective than that usually given, in which the student is doing very little practical work during the period of his study. The ideal laboratory in which to train a teacher is a real school. Doctor Rapeer makes it possible for a student to gain the best values of correspondence and residence study in a curriculum well chosen and ably taught.

A member of our faculty, Prof. John H. Earle, who is a graduate of Drew Theological Seminary and who has studied in various other institutions, and has been teaching for many years, is now taking a professional course with Research University, and was recently in Washington

to attend one of the seminar periods required in his work. He is highly enthusiastic over the high standards and efficient methods of Research University, and I know he desires me to give it his heartiest indorsement.

Respectfully yours,

L. W. BARNARD, *President.*

SANTA MARIA, CALIF., *May 7, 1928.*

MY DEAR CONGRESSMAN NELSON: In reply to your recent inquiry regarding Research University at Washington, D. C., I am glad to say that the course which I take at the university is splendidly handled by the university. I have taken courses by correspondence with Eastern and Western universities; but no other university does such splendid service for its students as does Research University. Already I have planned several years' work ahead with this university. I may wish to take as much as 10 years of work with this school. I am now taking a very good course (special higher algebra) with Research University such as I can get at no other school by correspondence. Thus this university is doing a real service.

The instruction is of as high standard as that of other universities. The professor with whom I am taking my work does his work as faithfully, even more faithfully, than any other professor with whom I have ever taken correspondence. The credit requirements are fully equal to those of high-class universities. Their credits are safeguarded by examinations. * * *

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Very truly yours,

CALVIN FUNK,
Mathematic Instructor, Junior College.

GRIMES, VA., *May 2, 1928.*

Hon. JOHN M. NELSON,
Washington, D. C.

SIR: In answer to your letter respecting the general worth of the services rendered to higher education by Research University, to avoid needless prolixity I am answering your questions specifically and also in consecutive order.

The instruction is of high standard. It is more than that, for it is sympathetic in tone, individual in method, most catholic in scope. The tolerance and open-mindedness evidenced by the comment appended to work done is stimulating and free from narrow prejudice. The projected, warmly human insight of Doctor Rapeer permeates the guiding notations so effectively that there is no hint of a mechanical relationship which (I have found through personal experience) exists between the student and the overgrown institution of learning.

The instruction compares favorably with that given by the extension department of the University of Chicago, the only other institution with which I have had relation, except in residence work. It is superior to that which I received in residence at the University of Virginia in this respect. The student is placed squarely upon his own initiative. He learns what his professor's viewpoint is after, not before, he answers a given hypothesis. Thus he can not hypocritically make his answer coincide with that of his teacher because such agreement is politic.

The credit requirements are about the same as are those of other institutions. In several courses I have found them to be rather higher.

My examinations have been written in the presence of the division superintendent of schools of my county seat.

If I obtain my degree in the future it will be on the condition of a stipulated amount of residence work in addition to that already completed by correspondence.

I know of no act upon the part of any officer, teacher, or trustee which should engender public complaint. The extent of my personal satisfaction with services received may be guaged by the fact that I am still enrolling for new courses upon the completion of old ones.

Very truly yours,

EDWIN H. SHEPARD.

BURNHAM PUBLIC SCHOOLS,
Burnham, Pa., May 14, 1928.

DEAR MR. NELSON: Research University has given me such careful attention and service as a student that I should be unfaithful if I were not to write a few lines in its behalf. I am now pursuing five courses in this university, and the results are beyond my expectation. I am sorry for one thing, and that is that I did not enroll 10 years ago. The work is up to date, thorough, and practical—just the kind that a superintendent needs.

I have gained more permanent knowledge from these courses than I could have got from crowded classes in college in the same amount of time. I have increased the efficiency of my school system by the application of this knowledge. I am now closing out the tenth term here, and Research University has helped to make it the best one. I am sold to the idea that a man can advance best right in his own work, his schools being his laboratory.

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Respectfully yours,

ELMER E. SIPE,
Supervising Principal.

ATLANTA THEOLOGICAL SEMINARY,
Atlanta, Ga., May 3, 1928.

MY DEAR SIR: In reply to your letter of April 30, I take pleasure in stating that I think Research University has a vital mission and is doing splendid work. The instruction and credit requirements are equal to and above those of many colleges, and the students are compelled to work harder than those attending the lecture rooms of many other institutions.

The credits are based on carefully safeguarded examinations, and even on residence and attendance at the university for those who desire degrees. I have no knowledge of anything that could be complained of that was or is being done by the president, faculty, or trustees. Doctor Rapeer is a man of sterling qualities.

The course leading to the degree of bachelor of arts, which I pursued in the above institution, has been very helpful to me, as since graduating I have received my LL. B. degree and am admitted to practice law in the highest courts in Kentucky and Georgia and am teaching history and Greek in the Atlanta Theological Seminary, Atlanta, Ga., and will get graduate standing here in a standard university for my A. B.

Without my course at Research University this would have been impossible, although previous to taking my course at Research University I graduated from the Theological Seminary of the Reformed Church, Lancaster, Pa.

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This institution makes it possible for energetic men and women to complete their education who would otherwise forever be deprived of that privilege. Why deprive some of the most energetic and worthy men and women in the country, who are crying out for an opportunity of this privilege? Is education to be commercialized and only for the few? Congress certainly should safeguard this institution, the status of the degrees, certificates, and credits of its former and present students.

GEORGE A. EHRGOOD, *Instructor.*

ALEXANDER HIGH SCHOOL,
Alexander, N. Y., May 4, 1928.

DEAR SIR: It gives me pleasure to speak a good word for Research University. I have done work in this university by correspondence. I have also done work in two of the best universities in this State. I know that the instruction given by Doctor Rapeer is of a standard as high as given in those universities and that the work is more faithfully done than in one of those where the honor system prevails.

I have always heard Doctor Rapeer praised as an educator. He is considered one of the great educators of our country.

Very truly yours,

FRED H. BOWKER, *principal.*

NEW CASTLE SENIOR HIGH SCHOOL,
New Castle, Ind., May 5, 1928.

MY DEAR CONGRESSMAN NELSON: I am pleased to give to you my truthful opinion relative to legislation concerning the Research University. My experience has been that the university has offered work of a high quality and has required more than some that I have been privileged to know as a student.

The integrity of the executive officers of the Research University is perfect, to the best of my knowledge. I sincerely feel that this school is needed, inasmuch as it offers educational opportunities to many that otherwise could not afford to get them. By all means, protect and defend an institution with such motives.

Yours truly,

GLENN O. HARRELL.

WASHINGTON HIGH SCHOOL,
Milwaukee, May 4, 1928.

DEAR MR. NELSON:

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Allow me to say that after having done both residence and correspondence college work that I believe firmly that the work done by the Research University is on the par if not above any work that I have done. This institution is far from a "diploma mill." I have found through personal experience that you are given credit for just the work you have done and all papers are very carefully credited. I have never found any of the officers and faculty anything but the highest grade of men.

I believe that there is a great need for such an institution as Research University. The United States has many men and women who are looking for high-grade college work who find themselves financially unable to leave their present locations to go to college. Research University is giving such men and women an opportunity to get the high grade of work without leaving home. This is being done with a great deal of sacrifice on the part of those in charge, and I should hate very much to see anything done which would jeopardize their work.

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Very truly yours,

R. J. BLAIR.

SUPERINTENDENT OF SCHOOLS OF ALLAMAKEE COUNTY,
Waukon, Iowa, May 3, 1928.

DEAR MR. NELSON: I have your letter of inquiry concerning Research University, Washington, D. C. I am taking five courses in the Research University and find the work first class in every respect and ranking very high. The texts used are the same as the ones used in the University of Iowa and the University of Minnesota, and I suppose the other universities.

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Very truly yours,

W. L. PECK,
Superintendent of Schools.

OLYPHANT, PA., *May 7, 1928.*

DEAR SIR: If I can in any way aid Research University my service will be gladly given.

The instruction given by Research I believe to be "of high standard and faithfully given." * * * The credits received must be earned and examinations are carefully safeguarded. * * * It appears eminently fitting that there should be at the National Capital an experimental university of the character of Research University.

I can write of Research only as I know it through my personal work, and this, performed by correspondence, has been most satisfactory and beneficial.

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Sincerely yours,

FLORA B. DAVID.

NEW YORK EDUCATION CO.,
Albany, N. Y., May 5, 1928.

DEAR SIR: Your letter of April 20 regarding the standing and services rendered by Research University is hereby acknowledged. The writer has been in personal touch with its president, Dr. Louis W. Rapeer, during its entire history. When Doctor Rapeer was a student at Columbia University, taking a postgraduate course for his Ph. D. degree it was my privilege and pleasure to know him intimately, and I can testify to his splendid ability as a student and research worker. He has probably done more experimental and research work individually than 9 out of 10 persons who have won the Ph. D. degree.

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From time to time I visited his institution at Washington; spent several days investigating; and observed closely the work that this institution was then doing, and had nothing but words of praise and commendation for the entire plan and program of work carried out. You will find in this article my own personal views, and nothing has taken place since that time either to change my own opinion or warrant in any way the discrediting of the high quality of work that this institution offers to those who desire to take advantage of it.

Indeed, I know of hardly a single educator who has had such a vision as Doctor Rapeer who pushed ahead in spite of criticism and almost insurmountable obstructions and in spite of all of the opposition has done a most creditable piece of work. I regard all of the instruction that I personally witnessed of a high standard and faithfully and well done.

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I regard the credit requirements of the institution equal and in some respects above those of similar institutions.

Doctor Rapeer has been a most scientific worker for more than a score of years, has broadened the curriculum to meet the needs of a great variety of mature students, and many can, like myself, testify to the exceptional quality of the instruction offered, to the safeguarding of degrees by rigid examinations and to the large, personal value received from all courses of study regularly pursued and completed.

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Respectfully yours,

C. W. BLESSING,
Principal Public School No. 5 and
Former Editor of American Education.

LAIE, OAHU, HAWAII, *May 15, 1928.*

DEAR CONGRESSMAN NELSON: Your letter of April 30 asking for my views concerning Research University is at hand. I take pleasure in saying that I have made great strides in my progress as a teacher and principal ever since I have taken a course from this institution and that I have received much valuable information and guidance as regard my profession from them in the past two years. The success of the instruction given by this institution and the standard they uphold and the integrity of the same, I believe, compare favorably with that of other recognized universities of our country.

I believe that we who are out in the world engaging in the professions need a university of this kind, from which we can take courses adapted to our needs, or at which we may work for higher degrees. Dr. Louis W. Rapeer, the president of this institution, has been of great help to me in giving me wise and pertinent counseling and instruction.

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Very truly yours,

CLINTO J. KANAHELE,
Principal of Laie Elementary School.

WASHINGTON, *D. C., May 5, 1928.*

DEAR SIR:

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I found each subject in which I was interested to be conducted nearer to a common-sense method of instruction and training than was to be found elsewhere in the city. The services offered by the university seemed to supply the needs of people who desired to educate themselves. I found the services of the institution to be all they were represented to me to be, and I believe superior to services of the kind I have observed elsewhere.

I believe that Research University is a very useful institution, and its service has been made available for many who would not otherwise get the equivalent elsewhere.

Yours very respectfully,

J. Y. BLAKELY.

NORWOOD, PA., *May 9, 1928.*

DEAR SIR:

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In reply thereto you are advised that Research University is experimenting in a work that is invaluable to those who have the desire to continue their education, but who lack the time or financial resources to attend the modern daytime university. The type of man to whom this university appeals particularly is the professional man. He can continue his work and yet use his spare time to fit himself for a still higher place in his profession. I believe you will find the majority of students who attend or who have attended this university are of that type.

* * * The instruction is of a high standard, its credits are based on rigid examinations, and its degrees are zealously guarded. In fact, I attended the University of South Carolina and Georgetown University Law School and I found Research University up to the standard of these universities.

It is with regret that I see the present trend of the larger universities to attempt to regulate education, or at least, higher education, by discrediting night classes. It has been my experience that the man who labors nightly over his books after a long day of toil is the man who really appreciates the value of an education.

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Yours truly,

EDWIN L. LAYTON.

PITMAN HIGH SCHOOL,
Pitman, N. J., May 3, 1928.

MY DEAR SIR: It is almost impossible for a school superintendent to find time to take the courses that he should take and at the same time keep the many details of his school work well done.

In the courses offered by Research University the busy superintendent makes his schools the laboratory for his courses. What plan can be more nearly ideal for real help for the superintendent in doing his best for the schools?

Lectures are not always very helpful. But the courses with Research University are always helpful. Every student must work.

I know of nothing more needed by the superintendent than the opportunity to advance by using courses, partly by correspondence and partly by residence work. The courses at Research are at once helpful in one's school work and interesting too.

I took residence work at Research last summer. The examinations given to me were most comprehensive.

In my dealing with the university I have found its officers to be exacting, but fair. The work which Research University is doing for superintendents is, I think, a real service. I am planning to take residence work at Research again next summer.

Respectfully,

DANIEL W. DAVIS,
Supervising Principal.

KAPAA SCHOOL,
Kapaa, Kauai, Hawaii, May 10, 1928.

DEAR SIR: Permit me to state that I am now taking extension work in that institution under Dr. L. W. Rapeer. I met Doctor Rapeer in Washington in 1925. I have studied under his directions for three years. I have found the work superior and, moreover, an opportunity. The work compares favorably with lecture courses in any school. The supervision is of a high standard and faithfully done. The credit requirements are as high as they are in any other institution granting degrees.

Let me state that I attended Tufts College, in Massachusetts, for two years. I have taken a number of correspondence courses. I have given extension courses here in Hawaii under the direction of the Territorial Normal School of Honolulu. I feel that credits obtained from Research University are based on carefully guarded examinations. * * *

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Yours very respectfully,

GEORGE S. RAYMOND.

GAINESVILLE, TEX., *May 30, 1928.*

DEAR SIR: This is in answer to yours of April 30 requesting information in regard to work done in Research University.

I consider this school the equal of any of the leading universities when it comes to the question of high standards of work and credits. The same rules prevail as to examinations, residence, and correspondence as are required in any accredited university. The courses offered by Research University are carefully prepared and ably conducted. Anyone who is conscientious in his study and who puts forth the necessary energy can obtain a high-class education in Research University. Anyone who has failed to learn in Research University will fail to learn in any university. In all my study and in all my association with Research University I have never seen anything that was in any way underhanded.

In my correspondence and in my residence work Doctor Rapeer was always kind, considerate, fair, and just in all his dealings with me. I have no knowledge and no reason whatever to believe that Doctor Rapeer or anyone connected with Research University has ever given cause for public complaint. I have no fault to find but much to commend.

I think that Research University fills a great public need. And I as one of its graduates feel that Congress should get behind this school and give it the moral and financial support it so justly deserves. Congress lends aid and prestige to many things of minor importance; now it can render a real service to every citizen by rallying to the call of Research University in its time of trial.

Wishing you success, I am,

Yours truly,

MRS. NELL M. COLE.

RESEARCH UNIVERSITY BLAZING A TRAIL

N. J. Quickstad, A. B., superintendent of schools, Mountain Iron, Minn.:

"I sincerely believe that the work that Research University is doing is of a very valuable sort, and is blazing a trail that will some day be followed by other institutions. The work that I have come in contact with in connection with the institution has been well organized and has been inspiring to one in the educational field. I believe that credits are based on carefully safeguarded examinations, and residence and attendance in Washington is required for degrees."

A. D. Horton, M. A., superintendent of schools, Weston, W. Va.:

"My impression is that the work is very thorough. From what I can see the credit requirements are as high as those of other schools with which I am familiar."

"As to the needs of such a school, I should state that there is a strong tendency to have our education familiarized into 'hours.' Research University is doing a good work in embodying definite attainments rather than length of time as the basis of crediting."

Claude M. Beitler, A. B., superintendent of schools, Cardington, Ohio:

"Doctor Rapeer in my opinion is offering a great opportunity for advancement to those who can afford neither time nor money to attend our other type of institution. I expect to continue my work toward an M. Ed. degree, which it would be impossible for me to obtain otherwise except by correspondence. I have been in touch with others who have completed courses under Doctor Rapeer, and they have been enthusiastic in commending work done and benefits received.

"As many of our State institutions are offering courses by correspondence, I can see no reason why Research University should be discriminated against. I feel quite sure that upon careful investigation you will find this work to be of high order and should be encouraged.

"An institution of this kind is a boon to many who have not had an opportunity to complete their college work or who would like to take advanced work and are unable to do so.

"I am a college graduate, and feel that the work offered here compares favorably with that I have taken in college. The standards are sufficiently high that one must do work of a high quality in order to meet their requirements."

CREDIT GIVEN AT FLAGSTAFF TEACHERS' COLLEGE

Miss May Hall, instructor, North Arizona State Teachers' College, Flagstaff, Ariz.:

"I will say, too, that my work at Research has been more difficult and inclusive than some work I have taken at other colleges. Their examinations are conducted in the same manner as other universities giving correspondence courses, and, of course, they do not grant degrees without the standard number of credits and without residence work, as well I know. At least, I was unable to get a degree there because I could not go for my residence work.

"I look forward to study at the Nation's Capital—and I'm all for Research. It has proved itself to be a fair and human institution of learning, one whose good works should be carefully guarded."

Walter B. Zimmerman, chaplain (captain), United States Army, Fort Bragg, N. C.:

"Because of my heavy duties the method of Research University is the only one which permits me to do the work I have in mind. I believe this institution has the facilities to direct this type of work in a successful manner. At least, my experiences have been satisfactory.

"Specifically answering your questions, I should say that the instruction is of high standard and faithfully done; that it compares favorably with that given by lecture methods and other methods for adult students who are mature in their thinking processes."

SUPERIOR TRAINING IN EDUCATIONAL RESEARCH

Carl Cotton, A. B. (Colby), LL. M. (University of Maine), Ed. M. (Harvard), superintendent of schools, Derry, N. H.:

"Last fall I had a problem concerning my local school system which I wished to solve. I found that a number of courses in research would be necessary in order for me to qualify myself in the technique of research work, as I had previously had only the equivalent of a three weeks' course in this work. A New Hampshire superintendent who had previously done work in Doctor Rapeer's department at Pennsylvania State College spoke to me favorably about him. I found some circulars descriptive of the work at Research University, and enrolled in some of the courses offered. I have been carrying on these courses all winter in my spare moments.

"The courses I am taking are more motor than the customary college lectures. I have averaged 20 to 30 typewritten pages per week during the past fall and winter. The authors of these courses have a very adroit way of questioning the student in such a manner that the problems pertaining to the courses have to be answered fully.

"The educational philosophy on which Doctor Rapeer bases these courses is the best I have ever read. The student is led to the proper sources of authority and guided in the selection of the best educational literature that is productive of a philosophy that is sensible and worthy of a wider application in modern educational practice. As a guide to this type of reading, the course has saved me many months of aimless search among the educational philosophers. It was just what I had been seeking.

"I believe that there is a real need for just such courses as these for field workers in education everywhere. I found the courses in Research quite difficult. They would be of little value to one who has no need of them. A student must have had a number of substantial courses in education in order to do this work and profit by it."

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Glen O. Chenoweth, principal of schools, Lynn, Ind.:

"Permit me to say that the instruction of the school [Research University] is of high standard and faithfully done. The courses of instruction that I took from the university aided me more in my teaching work than that from other schools." * * *

MORE THAN FROM FIVE UNIVERSITIES

L. J. Belt, superintendent of schools, Wheatland, Wyo.:

"I really do not know very much about Research University, as I have only been taking one course and that is not finished yet. There is one thing that I do know, however, and that is that the courses are unusually well organized, that the questions are very searching, yet very interesting, and that working out the questions and assignments certainly develops thought power and results in mental development. I have attended day classes in five universities and colleges, and can truthfully say that the course I am taking from Research University gives me more of a conscious feeling of accomplishing something than almost any course I ever took."

GOOD WORK FOR PASTORS

Louis H. Losch, minister, Main Street Baptist Church, Oneonta, N. Y.:

"Relative to Research University, I should say that I have investigated same very thoroughly. * * * I have personally met Doctor Rapeer, president of the institution, and am very much impressed with his earnestness and his honest endeavor to make the courses in his institution of proper standing. * * * I am personally acquainted with those who have taken work there and know them to be very much satisfied with the standard of work." * * *

Rev. John E. Jackson, Castle Shannon, Pa.:

"The textbooks used are the latest and best. Suggestions are given as to the best methods of studying each subject. Correction of lessons

is faithfully done, and the suggestions and criticisms are very helpful to the student.

"The instruction of this university is distinctly individual; thus the faulty methods of each student are corrected. Anything which is not understood by the student is explained.

"Each lesson assignment must be worked out by the student and sent to the instructor for correction and criticism; thus there is no possibility of any evading of actual work and study, as is the case where the lecture method is used. * * *

"The wholesale methods of instruction used in many of our colleges can not be compared with carefully supervised home-study work for thoroughness."

"The past work of Research University for adult students throughout the Nation is sufficient justification for its continuance, and a distinct loss would result if this work were discontinued. Personally I am very much indebted to Research University for its part in leading me out into a wider knowledge in the field of religious education and assisting me to broaden my vision in this aspect of religious work."

Miss Mary C. Learn, Farner Apartments 5, Burlington, N. J.:

"I have done work in the teaching of mathematics by correspondence and I know I was required to use the best text and that all in all I gained just as much as I would have by attending in residence. The examination was very stiff. I began two other courses which were so heavy I couldn't go on with them with my other schoolroom duties. I think that I say a sufficient amount for that type of work and the credit the individual student deserves."

WILL ATTEND THIS SUMMER IN RESIDENCE

R. Carley, superintendent of schools, Sparta, Ill.:

"I have done a number of courses through correspondence in such universities as Chicago University. I find the work offered by the Research institution more searching and difficult of accomplishment than that of the class of schools mentioned.

"Research University is doing a much-needed service in advanced education and stands foursquare with any school within my knowledge doing a similar work.

"The fact that both Mrs. Carley and myself are coming for study to this institution June, July, and August of the present summer will give you my personal reaction as to the merit and integrity of this school."

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Floyd Baggett, Marion, Ill.:

"Although I have never had any work from the university, I know that it fills a long-felt need for such schoolmen as myself—those that can not attend classes, but desire to increase their ability and training by correspondence.

"I should like to see Research University continue, as I want to take a course of training and because I feel it is doing a wonderful work!"

IT SAVES THOSE WHO DESERVE SAVING

Prof. Theo. W. Knote, head of the department of business administration, Virginia Polytechnic Institute, Blacksburg, Va.:

"Research University requires work in residence and examinations in residence before degrees are granted; and I think they are filling a need, especially for those at a distance who are unable to leave home on account of obligations there. It makes getting a degree possible for these men who would be prevented from getting it if they had to give up everything until they could spend a year or two in a large university."

"I look upon instruction by correspondence as one of the most wonderful developments of the age; and since the University of Chicago, Columbia, and other great universities give instruction and allow college credit for this kind of work, it certainly is sound. You can not push anyone up a ladder unless he is willing to climb a little himself, so the man worth while will get as much out of this long-range method as he will by a more direct method. * * *"

O. S. Amsler, principal, high school, Decatur, Ga.:

"In regard to his [Doctor Rapeer's] letter on my entrance requirements and subsequent work to obtain a doctor's degree at Research, there is nothing short of the well-arranged and well-directed work of other colleges. These requirements seem to be on an equal basis with those of other institutions of similar standing with which I am familiar."

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Raymond L. Cortner, pastor First United Brethren Church, Berthoud, Colo.:

"It is my opinion that the universities doing correspondence work are of real value to the Nation. There are many people who would not receive higher education were it not for their services. I should say that the standard of instruction is reasonably high and is faithfully done, comparing very favorably with instruction given in other institutions.

"All but a few hours of my university work were done in residence, but since graduating I have taken some courses by correspondence from State universities and others, and I feel that the above statements are not overestimated.

E. G. Faulhaber, 622 West One hundred and seventy-ninth Street, New York City:

"This institution [Research University] is better than other institutions of its nearest kind. It brings out the facts to the students clearer, also the learning is of broader and longer study. The credits are more extensive and I believe they are above other colleges due to the fact the work is of larger volume."

"I firmly believe that in time to come when more people know of Research University, especially the poorer type, or I might say the people that have little means of financial help, that this institution will be overcrowded, as the people will then know the actual value of such a college."

Mrs. M. Rose Smith, Route 2, Castorland, N. Y.:

"I think that the university at Washington, D. C. [Research University], is doing meritorious work and helps one to rise professionally. * * * The credit requirements will equal those of our universities in New York State. I haven't completed my course in history * * *, but if the examinations are given by our superintendent of schools I do not think they could be anything but well safeguarded."

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SURPRISED THAT ANYONE GETS THROUGH

H. D. Vincent, A. M., principal School 16, Troy, N. Y.:

"As to the nature of the course of instruction in this institution [Research University] I do not hesitate to say that it is of a very high order. I have three degrees earned elsewhere, and I know what work is like. The big criticism I have to offer in regard to Research University is that it requires so much that the wonder is that anybody ever finishes.

"The instruction surpasses in certain respects that done by the lecture method. * * * The student in a large class may get along without any preparation generally. He trusts to luck to pass the final. By the correspondence method he must do all of every lesson. Credit requirements are more rigid than in the ordinary college."

Miss Edna M. Davis, 18 West Cottage Avenue, Haddonfield, N. J.:

"I laid my previous training before President Rapeer and told him what I hoped to do. He planned a curriculum for me that he thought would fit my needs, and I enrolled and enthusiastically followed his helpful guidance. I was employed during the day, and had only my evenings to devote to my studies. When I had a little of real study I was too impatient to wait for a slow, night course, and stopped and went to Temple University, where I am now a student."

"The grades on my papers were always the same [B] and the instructors' comments highly flattering, as I felt. But since I have attended Temple I am more and more convinced that Research University marked on a par with other institutions as my marks are at the top of the class at Temple."

Miss Gladys Stein, 2202 Raspberry Street, Erie, Pa.:

"In answer to your letter concerning Research University I will say that I found the lessons sent out by this university to be very thorough and carefully worked out.

"I am a graduate of the Pennsylvania College of Music and of the New England Conservatory of Music, and I have found the work sent out by Research University to be of the same high standard as of these other schools."

Russell Colbert, Washington, Ind.:

"In my judgment, Congress should give every possible encouragement to Research University, of Washington, D. C. Any act which would restrict the work of this university in any way would be a serious mistake.

"Please do your utmost to prevent any unwise legislation along this line."

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C. Louis Knight, Wharton School of Finance and Commerce, University of Pennsylvania, Philadelphia, Pa.:

"I should be inclined to oppose any legislation which purports to bring institutions of higher education under the control of a board of education. The fact that the personnel of such boards is often affected by political considerations, while, on the other hand, it is socially desirable that institutions of higher learning should be unhampered in their conduct by politics, makes such legislation highly dangerous and of the sort that should be vigorously opposed."

W. P. Clark, commercial department, high school, Point Pleasant, W. Va.:

"I have had no courses in this [Research] University. * * * I had some correspondence with President Rapeer several years ago relative to a course. * * * As far as I can judge, their program is an excellent one. * * * I do think the work of this university should be not hindered but fostered."

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NO COMPLAINTS TO FEDERAL TRADE COMMISSION

John S. Biggs, Federal Trade Commission, Washington, D. C.:

"I am not sufficiently familiar with the work in the correspondence courses to state any facts or to express any views in regard to them, but the Federal Trade Commission has had frequent complaints against correspondence schools, and I was informed to-day by the legal division that no complaint has ever been filed against Research University. The division of trade practice conferences also informs me that Research

is one of the signers of an agreement as to trade practices by correspondence schools which has the approval of the commission."

Daniel B. Feyan, 1220 I Street NW., Washington, D. C.:

"My connection with this institution [Research University] embraced a two years' night course in a class of public speaking. The instruction rendered in this class and in other classes I observed was efficient, inspiring, and on a par with that of other institutions I formerly attended.

"I did not take any subjects taught by correspondence, although I heard the correspondence courses highly commended by people familiar with them.

"I strongly approve your endeavor to safeguard the credits and certificates obtained by former students of this school. I know from experience that the institution was attended by many capable, industrious students, whose painstaking efforts entitle them to proper recognition in the business and educational world."

"While the law should require efficient and well-organized schools and colleges in the District of Columbia, it is not to be taken for granted that they can not function without a large faculty and five or ten thousand students. Institutions of learning with small attendance but controlled by able teachers can achieve highly satisfactory results, and the legislation now pending in Congress should be governed by this consideration."

H. H. Harlan, A. B., Washington, D. C.:

"I consider the instruction given at this [Research] University of a high standard, faithfully done. I pursued also some correspondence work in accountancy, and the same high standard set for resident work was maintained in the correspondence work. I was compelled to take examination before some one selected, and he made statement that I received no assistance during the examination. The credit requirements are the equal of other institutions with which I am familiar. I attended the National University and received the degree of LL. M. The requirements in the work at the Research University along the line of the courses I studied were as exacting as the National University."

J. G. Willier, A. M., Odebolt, Iowa:

"While I was a student at Research University, in 1921–22, I found the work quite satisfactory and equal to that given in other colleges which I have attended. Appropriate tests and examinations were given, and I was required to earn the same amount of credit for a master's degree that had been asked of me at American University, which institution is regarded as being in good standing. I consider Research University as being worthy of being protected by appropriate legislation."

HIGH-CLASS PIONEERING

Frank Cushman, 200 New Jersey Avenue, Washington, D. C., Federal Board for Vocational Education:

"During the school year, 1922–23, I took a full program of work there [at Research University], attending classes five evenings per week for the full year.

"The general purpose of the institution made a very strong appeal to me. It seemed to me that Doctor Rapeer was a very progressive, forward-looking educator, who was not afraid to put into practice many new ideas in education which many college and university men were prevented, by academic traditions, from adopting, even though they personally believed in them.

"I am of the opinion that Research University at the time of my connection with it was a reputable institution and that it was meeting a real need in the field of higher education in Washington. I regarded Doctor Rapeer as an earnest, scholarly, and capable man. I know that I received real value from the courses in psychology and mental tests and measurements which I took under him as instructor. Another instructor for whom I had great respect and from whom I received instruction of great value to me was John O. Hall, Ph. D. (Columbia). The courses which I took in economics, sociology, statistical methods, psychology, etc., all called for attendance at lectures and recitations as well as class discussion, outside study, and written work. Doctor Hall and Doctor Rapeer were the two instructors under whom I did most of my work, but I had occasion to meet other instructors during the year and all of them impressed me as being men of a high type who knew their subjects."

Joseph A. d'Alessio, M. S., 29 Hollywood Avenue, Trenton, N. J.:

"The instruction given at Research University during the time I undertook their courses was of high standard and was all faithfully taught. The instruction, compared with that usually given by other colleges, is equal and, I personally believe, more educational and practical.

"The credit requirements are equal to those universities to which I have applied and matriculated. The credits are not only based on carefully safeguarded examinations but on attendance, class work, and research. Their courses have been a great service to me. I know their instruction is of the greatest usefulness to the teaching profession and our country."

"I wish I had more time to state just how Research trains its pupils—that its methods equal those I have undertaken in other colleges, and, furthermore, that the night classes at Research are as faithfully conducted as the day sessions of the recognized universities."

A GREAT CONTRIBUTION

Miss Alice M. Hopkins, A. B., 215 Whitney Avenue, New Haven, Conn.:

"I was a student in this university [Research] from its opening until 1922, a period of nearly three years, and I am glad to be able to say that during this time the professors and instructors were all experts in their lines, and the instruction given was of high grade, equal to any I have since received in such universities as Columbia and in the teachers' courses offered at Yale University."

"I feel that Doctor Rapeer's idea of a cooperative university, with an opportunity for everyone to get the education needed to advance him in his life work at such hours and on such terms as would enable him to take advantage of it, is a great contribution in the field of experimental education for adults."

Miss Willie O. Denson, 1245 Shepherd Street NW., Washington, D. C.:

"I have had both correspondence work and work in the night classes of this school [Research University], and I consider that I have been greatly benefited thereby. The instruction is of high standard, and the instructors are conscientious and faithful. As far as I know, the credit requirements are about the same as other universities. In order to obtain a degree a student is required to do some residence work."

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Herbert F. Mitchell, Riverdale, Md.:

"I was for a time an instructor in mathematics in that school [Research University]. I should say that so far as I could see Doctor Rapeer was a faithful and tireless worker. * * * It seems to me that the work would measure up to the standard of George Washington University."

UNJUST TO DISCREDIT GRADUATES

Miss Elder Preston Summers, A. M., Washington, D. C.:

"I attended Research University during the session 1921–22, receiving the degree of master of arts. Previously I graduated with the degree of bachelor of arts from a Virginia college and George Washington University. * * * While at Research University I was instructed by an unusually well-trained faculty and did not observe anything which would be a discredit to the institution."

"The president, Doctor Rapeer, holds his degree of doctor of philosophy from Columbia University and is a noted educator and author. I believe that this criticism is due to competition among the students and faculties of the Catholic universities and others.

"I sincerely hope that the great injustice of discrediting the institution will not have to be borne by the hundreds of innocent and ambitious students who not only have spent their time but money in this school for the last 10 years. In this case they will make the greatest sacrifice, and it seems unreasonable that the law should have to take 10 years to uncover this error."

Paul Wernicke, Ph. D., 3600 South Dakota Avenue, Washington, D. C.:

"My connection with Research University, with regard to the standing of which you are inquiring, has been limited to teaching in their evening classes during the years 1921 to 1924.

"My classes were small ones in analytic geometry and calculus. The students were, on the whole, well qualified to take these subjects, and made good progress. They were put through regular collegiate examinations and graded according to standards of recognized schools, as, e. g., the engineering department of Washington University, St. Louis, where I formerly taught.

"Naturally, I did not become very thoroughly acquainted with the way in which the other work was conducted, but I was distinctly impressed with the ability and painstaking conscientiousness of the faculty. I should not hesitate a moment to declare them thoroughly competent to teach the collegiate and university subjects that were assigned to them and to turn out as well-prepared graduates as the average institution claiming a similar standard."

Mary J. Beers, 1739 I Street NW., Washington, D. C.:

"The instruction which I received at Research University was of a high standard, faithfully given, and most helpful.

"I took a course in short-story writing, and if I ever write anything worth while it will be due to the inspirations received from Doctor Rapeer."

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EXCELLENT BUSINESS PREPARATION

J. Chris Wood, Treasury Department, 802 Chamber of Commerce Building, Pittsburgh, Pa.:

"I am glad to have the opportunity to tell you of my work at Research University and to express my hearty indorsement of the steps you have taken in its behalf.

"I completed a course in business administration in evening classes in this school. I have attended six different schools of college and university grade, due to residence in various parts of the country. In three of these schools I took university courses in evenings, and I believe that I am qualified by experience and the opportunities of comparison to say that the instruction at Research University and the credit requirements there are equal to those of other standard schools with

'accredited' standing. Examinations are conducted with care and integrity.

"The instructors whom I met there had previously taught in other universities, and were capable, conscientious men, taking pride in their work."

"It would seem manifestly unfair to permit certain interests, by the proposed bill, thus indirectly to penalize the men and women who have expended time, effort, and money in pursuit of an education and to whom only evening classes are available. Putting obstacles in the way of honest effort toward self-improvement and nullifying past achievements is not constructive or beneficial legislation."

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Robert C. Hillsdale, attorney at law, 16 East Forty-third Street, New York City:

"I am personally acquainted with Doctor Rapeer by reason of the fact that I have had professional relations with him and was also an instructor in business law in his institution several years ago. I certainly do think that we should not suffer honest efforts along the lines of this institution to be destroyed in any such attack as you indicate."

L. R. Turner, 2910 Eighteenth Street NW., Washington, D. C.:

"The course [accounting] required hard study, and the instructors gave us nothing we did not earn. This can be proved by the fact that only a few graduated compared with the large number who enrolled.

"I never took any correspondence courses from the school, so could not say anything about that side of the school's work, but I could not bring myself to think that Research University maintained a double standard of requirements."

Miss Elizabeth Hoke, 3611 Fourteenth Street NW., Washington, D. C.:

"I took a late afternoon class in short-story writing and found the class, the hour, and the ground covered very much to my liking. The instruction was of a high standard and faithfully done. The course was varied and was made extremely interesting; more, it was inspiring. Doctor Rapeer's range is so wide that it is a privilege to hear his lectures."

OLD COLLEGES TROUBLED IT

E. L. Sechrist, A. B., associate apiculturist, Bureau of Entomology, United States Department of Agriculture, Washington, D. C.:

"I am glad to have the opportunity of saying a word in behalf of Research University, from which I received a bachelor's degree in 1921–22. I had done more than two years of college work previous to coming to Washington in 1917. Finding it worth while, even at the age of 50, to continue the work, I did evening work at Research, choosing it because of its convenience for me.

"The instructors were excellent and the work all that could be desired. * * * All the instruction I received there was of high standard and faithfully done. * * * Doctor Rapeer has had a difficult task. The idea, I am certain, is excellent. And it gave excellent instruction to those whose time and means made it difficult for them to carry on work at schools of regular character. Being such a school—that is, carried on along cooperative lines—the old-line colleges did all in their power to discredit it and make trouble for it, so that Doctor Rapeer had difficulties that were unjust. * * *

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WORKED FOR TUITION

Miss Helen R. Hegarty, 5112 Connecticut Avenue, Washington, D. C.:

"I was a student at Research University only for a short time * * * during which time I was given tuition in exchange for secretarial work done for Doctor Rapeer. * * * I should say that the instruction was of a high standard. In comparison with lecture and other methods employed in colleges, its system is peculiarly adapted to the class of persons attending Research University—that is, adults pursuing a vocation in the day and endeavoring to further their education in the evening. * * * The credit requirements, so far as I was able to observe, are equal to these of other institutions, are based on careful examinations, and for candidates for degrees on residence and attendance here. * * * I do think Research University fills a need well met for those who are striving to obtain higher education while necessarily employed in the day."

Miss Laura E. Ferguson, A. B., apartment 18, 1345 Taylor Street, San Francisco, Calif.:

"It is a pleasure to inform you that in June, 1924, I was granted an A. B. degree from that institution [Research University]. I was then a resident of Washington, D. C., and personally attended all classes.

"I considered the instruction of extraordinarily high standard, comparing most favorably with that received in other universities. The credit requirements were equal to those of other institutions which I had attended. Credits were based on carefully safeguarded examinations."

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STRONG WORDS FROM FOUNDERS

L. H. Weir, director National Study of Municipal and County Parks, 315 Fourth Avenue, New York City:

"In the beginning of this institution, back in 1919–20, I served on the original board of governors up to a time I had to reside in the far West, when I resigned. I was deeply interested in the project of President Rapeer and felt very strongly at the time that there was a real need for such an institution, and the fact that it has been in continuous existence since then, serving large numbers of people, confirms my judgment of the importance of its founding."

"Aside from the question of the work of this university, however, it appeals to me to be a very strange proceeding, indeed, to think of placing the licensing of incorporated schools, especially higher institutions of learning, under the control of the local Board of Education, which is primarily concerned with primary and secondary education.

"I regret exceedingly that I am not familiar enough with the actual work of the university during the past eight years to answer your questions, but I sincerely hope that nothing will be done to jeopardize its existence."

Edson L. Whitney, Ph. D., LL. D., 3411 Oakwood Terrace, Washington, D. C.:

"Relative to your letter of inquiry concerning Research University, I drew up the charter, or articles of association, forming that institution, and for two years was the secretary of its board of trustees, dean of graduate students, and an instructor in the institution. During the first year I served without pay and during the second year nearly so. Among the first board of trustees were an officer of the W. C. C. S., the director of one of the bureaus of the Department of Commerce, and a man who shortly afterwards became president of the Board of Education of the District of Columbia. The other trustees were equally as honorable, though not so well known, one being a prominent member of the Bureau of Standards, another a woman educator of the city, besides Doctor Rapeer, a graduate of the Universities of Chicago, Minnesota, and Columbia, and myself, a Harvard Ph. D.

"I am well acquainted with Mr. Tufts, who is probably more responsible for the introduction of the bill to regulate colleges than anyone outside of Congress. I have talked with him several times on this subject. I agree with him that 'diploma mills' should be closed, but I protest against closing an institution because it is new or poor or does not have an endowment or a library or scientific apparatus, when those behind the movement are working honestly in the interest of higher education. Degrees should represent a certain standard and should not be given for mere attendance. There are universities in this country and in Europe that are mere examining institutions and give degrees on the completion of satisfactory work, and I have yet to hear degrees thus granted by the University of London or the University of the State of New York questioned by anyone."

"As to putting the control of new institutions into the hands of the Board of Education, that seems improper. I have heard that not long ago a high officer of one university, a wife of an official of a second university, and a person closely connected with a third university of this city sat on the Board of Education here. I have heard it said that the board is dominated by the universities here. Under those circumstances it would seem a hard thing to place a candidate for the right to grant degrees in the hands of such a board."

Samuel Henri Con'e, Ph. D., Villa Monteray, Wilmington, Del.:

"I am in receipt of your letter of April 30, and it is a pleasure to answer the question you ask:

"'Are the credit requirements equal to or above those of the institutions with which you are familiar?'

"The credit requirements of Research University are equal to any institution I have ever attended, and its requirement for degree work is above any institution I have ever attended."

A. J. Pacini, director Pacini Laboratories, 9 South Clinton Street, Chicago, Ill.:

"A more thorough form of instruction has never in my experience been presented by any university with which I am familiar."

Ethel Hayes Gilbertson, Washington, D. C.:

"I am glad indeed for this opportunity of speaking a word in behalf of Research University. I wish that I were able to express all that the privilege of attending Research University has meant to me, culturally and materially. I consider that privilege one of the most worth while in my life."

Basile G. d'Ouakil, professor of French literature, Fordham University, N. Y.:

"I can speak with but the greatest respect and esteem of the men who composed the faculty of Research University."

Mrs. Mary C. Wadkins, B. Ed., tobacco experiment station, 205 North Adams Street, Quincy, Fla.:

"I wish to say that I am heartily in favor of any legislation that will safeguard Research University, its faculty, officers, and past and present students. I have found it a very high-class institution and one doing a most unique and wonderful service. The Nation's Capital is, indeed, in need of one experimental school in higher education. Let Research stand and do its bit for the great teaching profession and the Nation.

"I have found the work at Research of the very highest class. The instruction was of the best and ranks well with the Alabama Polytechnic Institute, Auburn, Ala. I am familiar with this institution.

"My examinations at Research were carefully given, and I took them within the institution. I am holding a degree in education. My record will show my residence work there, which safeguards my credits. From the above, you may know that I have no criticism for Research, its president, registrar, trustees, or officers."

"It is my wish that Research may yet become a greater institution and rank with the best without question. I am willing to do my bit to make it so."

Fernely Britt, Olmsted, Ill.:

"I wish to say that my work with Research University has been satisfactory. * * * They are more strict about their subjects than any other school I have taken work with * * *."

James B. Howell, Cedarville, N. J.:

"The way Research University conducts its correspondence courses is better than any other that I have heard of, and I can see no reason why its diplomas are not as good as those of resident universities. I have taken resident courses and correspondence courses, and wish to say that the correspondence courses are a necessity and their value can not be estimated nor realized. The cost of correspondence courses should be kept as low as possible, because the student who takes a correspondence course is not usually supplied with cash or he would attend a resident college. The diplomas should be as nearly equal as possible; anyone who is attaining practical knowledge with theoretical knowledge is attaining more than one who is only attaining either practical or theoretical knowledge. * * *"

J. E. Birch, Willows, Calif.:

"From what dealings I have had with it [Research University] I feel that it is deserving of much credit and is performing a real service to many who are striving for higher education. So far as I am able to judge, the requirements of Research University are as high as those of any other school I have had work with."

C. L. Muir, 1628 Clackames Street, Portland, Oreg.:

"I feel that the work is superior in many respects to classroom and lecture methods and is carefully and faithfully carried out on the part of the school * * *. The methods of examining correspondence students are exactly the same as those of the University of Oregon and Washington."

"I hold Doctor Rapeer in high esteem, both personally and professionally. As a teacher he is second to none; and the memories of his able lectures are still vivid in my mind. His school certainly deserves the support of all broad-minded men."

William O. Melvin, superintendent Lordstown Centralized Schools, Warren Ohio:

"I have attended three of the great universities of our land, namely, Ohio University, the University of Cincinnati, and the University of Colorado. I consider the instruction given by Research University absolutely on a par with these; and I have found Research University even more exacting in the preparation of lessons."

Maude R. Cavanagh, Ph. D., Rockford, Ill.:

"Your letter of April 30 has just reached me, and I hasten to thank you for your interest in Research University.

"I studied there for over four years, and consider the instruction I received of high character and the requirements as rigid as those in other schools of graduate rank. The credits I gained there were based on written and oral examinations conducted as examinations usually are in colleges. I resided in Washington during my years at Research, and know of no disregard of the rule of residence."

LEAVE TO ADDRESS THE HOUSE

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that at the conclusion of the special order to-day, I may be permitted to address the House for five minutes.

The SPEAKER. Is there objection?

Mr. KNUTSON. Mr. Speaker, reserving the right to object, on what subject?

Mr. O'CONNOR of New York. On the Dale retirement bill.

The SPEAKER. Is there objection?

There was no objection.

PRESERVATION OF FISHERIES

Mr. WHITE of Maine. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 13383) to provide for a five-year construction and maintenance program for the United States Bureau of Fisheries, with a Senate amendment thereto, and agree to the Senate amendment.

The SPEAKER. The gentleman from Maine asks unanimous consent to take from the Speaker's table the bill H. R. 13383, with a Senate amendment thereto, and agree to the Senate amendment.

The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill and the Senate amendment.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendment.

The Senate amendment was agreed to.

GREAT FALLS OF THE POTOMAC

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent for the present consideration of House Joint Resolution 307, to preserve for development the potential water power and park facilities of the gorge and Great Falls of the Potomac River, which I send to the desk and ask to have read.

The Clerk read as follows:

That in order to preserve for development, in whatever manner Congress may ultimately find most desirable, the natural resources in water, potential water power, and park and recreational facilities afforded by the falls and gorge of the Potomac River near the National Capital, the Federal Power Commission be, and hereby is, authorized and directed to refuse to issue any permit, preliminary or final, to any private interest for the development of water power in the Potomac River between the mouth of Rock Creek and a point 4 miles upstream from the present intake for the water supply of Washington, until further action of Congress, after consideration of such joint report or separate reports as may be made by the National Capital Park and Planning Commission and the Federal Power Commission as to the best utilization of the said area for the public benefit.

With the following committee amendments:

Page 1, line 8, strike out the words "authorized and," and in line 9 strike out the words "to refuse" and insert the word "not."

The SPEAKER. Is there objection?

Mr. SNELL. Mr. Speaker, reserving the right to object, will the gentleman explain the resolution.

Mr. CRAMTON. Mr. Speaker, the only purpose of this resolution is to hold the Potomac situation in statu quo until Congress decides what to do with the gorge and Great Falls of the Potomac, either as to park development or the development of water power. This resolution asks the Water Power Commission to hold the whole in abeyance.

Mr. EDWARDS. From what committee does this come?

Mr. CRAMTON. It comes unanimously from the Committee on the District of Columbia.

Mr. TILSON. And there is some danger of permits being granted in respect to it?

Mr. CRAMTON. There is pending an application for a permit that would endanger the situation for park development in which I am chiefly interested.

Mr. MOORE of Virginia. I understand that this resolution, if adopted, would not interfere with the construction of a bridge?

Mr. CRAMTON. It does not. It is only directed to the power commission.

Mr. LAGUARDIA. The gentleman from Michigan is very alert in these matters. This should be the first step in the direction of providing that the Federal Power Commission shall grant no licenses until a survey shall be made of the whole country and the potential power ascertained.

Mr. CRAMTON. I do not ask for that this morning.

Mr. LAGUARDIA. I wish you did.

The SPEAKER. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The House joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

FARM RELIEF

Mr. DOUGHTON. Mr. Speaker, I ask unanimous consent that my colleague, Mr. HAMMER, may extend his remarks in the RECORD by printing his own letter written on the subject of farm relief.

The SPEAKER. Is there objection?

There was no objection.

Mr. HAMMER. Mr. Speaker, under the permission to extend remarks in the RECORD, I include the following letter in reply to Prof. J. L. Burgess, botanist, North Carolina Department of Agriculture, Raleigh, N. C.

I have known Professor Burgess many years. He is not only one of the State's profoundest scholars in his profession, but is also a sincere, conscientious friend of the farmer. I regret to disagree with him.

The following is my reply to his letter, which is not herewith inserted for the reason that under the rules of the House I am not permitted to do so. Statement of my position in reply to Professor Burgess:

Prof. J. L. BURGESS,
Botanist, North Carolina Department of Agriculture,
Raleigh, N. C.

DEAR SIR: I have read your letter of April 26 inclosing a copy of your letter of April 4 to Senator BROOKHART very carefully and after giving them mature consideration I am convinced that your objections

to the McNary-Haugen bill are based on misinformation and misconceptions, not only concerning the purposes of the bill and its plan of operations but also as to the actual provisions included in the text of the measure. For your information I am inclosing a copy of the bill in the final form reported to the House of Representatives by the Committee on Agriculture, together with a copy of a report of the Agricultural Committee and speeches which I made last year. I also made a speech on farm relief the year before. I do want to call your attention, however, to some of the misconceptions concerning this legislation which are contained in your letters.

You said that it "does not promise the farmer any relief" and that "the only beneficiaries of the bill are the middlemen and the manufacturers that use farm products." To read the bill is sufficient to show that the whole measure is plainly drafted for the benefit primarily of the farmers. The very first section, which declares the policy of Congress in this legislation, is all directed primarily to the good of agriculture. The purpose of Congress is declared to be to preserve advantageous markets, to prevent undue price depression of farm products, to minimize speculation and waste in marketing, to further the organization of producers, etc.

Section 3 of the bill requires the Federal Farm Board in mandatory language to keep advised concerning "crop prices, prospects, supply and demand at home and abroad, etc.," in order that it may advise producers concerning the production, distribution, and marketing of any farm commodity "in order that they may secure the maximum benefits under this act." A still further mandate is placed on the board to advise producers concerning development of suitable plans of planting and breeding "so that burdensome crop surpluses may be avoided or minimized, in order that they may secure such benefits." It is the producer who will receive the maximum benefits of this legislation. That is a clear statement of purpose written into the act itself again and again. It is a well-established legal principle that the courts in interpreting an act give prime consideration to the intent and purpose declared in such act. Hence, the board may be restrained in the courts from violation of these purposes.

Section 4 requires the board to set up an advisory council representative of the producers with authority to confer and advise with the board and to represent the producers "concerning matters within the jurisdiction of the board." Amendments inserted by the House provide that nominations for membership on these advisory councils may be submitted not only by farm organizations but by the governors and heads of departments of agriculture of the various States.

A further amendment inserted by the House requires the board before beginning or terminating an operating agreement or equalization fee to submit its findings to the appropriate commodity advisory council and the board is forbidden to act unless the council, representing producers, agrees that the board's findings were correct and in accord with all the facts which should be considered.

Section 5, which provides for loans out of the revolving fund of $400,000,000, specifically limits these loans "to any cooperative association or corporations created and controlled by one or more cooperative associations," thus restricting all of the benefits of the loaning features of the bill to the farmers' own organization.

Section 8, which provides for the establishment of clearing house and terminal marketing associations, specifically restricts membership in such associations to "cooperative associations or corporations created or controlled by one or more cooperative associations."

Under section 9 of the bill the board is required by specific mandatory language to conduct investigations to determine whether or not there is a surplus, whenever requested to do so by the commodity advisory council—which represents the producers—or "upon request of leading cooperative associations or other organizations of producers of any agricultural commodity."

This process might be continued further, but these references to the language of the bill itself show plainly that the real intent of the bill is to benefit the farmers and not the middlemen.

You also refer in your letter to the board as "irresponsible." The text of the bill does not bear out this charge. The Federal farm board which is to be created is appointed by the President, subject to the consent of the Senate; hence to get appointed in the first place these members must be acceptable to the Senate of the United States as well as to the President. Moreover, they must be regionally appointed, one member from each of the 12 land-bank districts, which render them more responsive to their constituents in their districts. Still, further, they can be removed by the President for cause. It is not more irresponsible than any other Federal board, department, or Government agencies which have been set up since the founding of our Government. It would not be nearly so irresponsible as the Interstate Commerce Commission which is not regionally constituted. That the members of the board would "eventually belong to no political party in particular," and therefore to create such a board would be "unforgivable," I can not agree, because this is not a political but an economic problem.

Your statement that this bill places in the hands of the Federal farm board the "lives and fortunes of the entire American people" is entirely unjustified and refuted by a study of the bill itself. There is not a line or clause of the bill which gives the board or any other agency control over the lives of anybody, much less of the entire American people. The same may be said concerning control of the fortunes, unless you mean by this the economic welfare rather than, in the monetary sense, the accumulation of wealth.

The board, however, does not even have control over the economic welfare of the entire American people by any means, except in an indirect sense. It does have the power to give assistance to the farmers' own organizations whereby they can dispose of their crop surpluses to better advantage and bring the farmers a higher price for what they have to sell by promoting orderly marketing. The power to render this assistance to the farmers the board does have and should have if agriculture is to be restored to a permanent basis of prosperity.

Your principal fears concerning this bill seem to arise out of misconceptions as to how it might operate. To summarize these, you apparently fear that the Federal Farm Board, the President, and the Secretary of Agriculture will all be in favor of the measure and by virtue thereof gain control "of the statistical forces of the United States" and thus "declare a surplus when there is no surplus" and that the "board will secretly conspire with foreign spinners as well as the middle men in this country to beat down the price of farm products in this country by declaring a surplus and enriching themselves at the expense of the farmer through the equalization fee paid by the farmers in order to guarantee the middleman a profit." This indeed would be a fearful picture if true, but the provisions of the bill do not justify such fears.

If the President, the Secretary of Agriculture, and every member of the board were in favor of the bill as you predict, then it appears to be a strange conclusion to reach that the board would set about to do the very things which would violate the chief purposes of the measure. Such reasoning is just the reverse of that of farm leaders who are supporting the measure. They do not fear a board and an administration which will sincerely try to carry out the purposes and provisions of this bill. That is what they want done. They would fear rather that the board might fail to carry out this legislation. That is why the advisory councils are set up to confer with the board and to represent the farmers' interest.

In the next place the mere fact that the President and Secretary of Agriculture and other members of the board would be in favor of this bill—even assuming that this were true—does not necessarily mean that they would have in their charge "the entire statistical force of the United States." Every individual State has its own department of agriculture and its corps of agricultural statisticians which gather and disseminate agricultural information. These agencies would not be entirely uninformed concerning the amounts of crops produced from year to year. Furthermore, great corporations representing the middlemen also maintain private statistical organizations to gather information concerning crop produced and crop surpluses. A still further safeguard which has been hereinbefore mentioned requires the board to get the approval of its findings by the commodity advisory councils representing the producers. Your fears that the board by its mere declaration of a surplus could make the world believe for any reasonable length of time that such surpluses existed when in reality there was a shortage could hardly be realized. Even if the board were to attempt such folly, it would soon be checkmated by the information given to the world by other agencies both public and private.

The fear that the board could declare a surplus when in reality a shortage existed and thus beat down farm prices below their real value is entirely unfounded. Prices are not determined by the mere statements of Government agencies or any other agencies as to surplus or deficiency of production except as these correspond to a reasonably accurate statement of the facts. Prices are determined by supply and demand in the markets and other economic factors which are involved. Moreover, it is hardly probable that the producers through their councils would approve such findings.

Furthermore, you seem to assume that all the board is going to do is to declare a surplus or declare a deficit. The fact is the bill itself requires that whenever the board, after investigation, finds there is a surplus and announces this fact it is required by mandatory language in the bill itself to "arrange for marketing any part of the commodity by means of marketing agreements with the cooperative associations engaged in handling the commodity or cooperatives created and controlled by one or more such cooperative associations." In other words, the board can not declare a surplus and then sit idly by and let prices go to smash. Quite the contrary, the declaration of a surplus is merely the acknowledgment of a condition already in existence and this declaration is merely a preliminary step whereby operations through cooperative associations are made possible so as to prevent an undue depression of prices. The board through agreements with those cooperatives will furnish them with sufficient funds, first by loans and later by the collection of an equalization fee, to acquire control of the surplus, withhold it from market in a period of oversupply, and dispose of it

later in periods of undersupply, thus preventing depression of prices below the real value of the product, which would otherwise be the case if the surplus were dumped on the market within two or three months, as is done now.

In these operations of the board the middlemen would not be guaranteed a profit at the expense of the farmers as you state in your letter. In the first place, according to the bill as it is now drafted, the equalization fee would not be collected from the individual farmer but from the middlemen—cotton ginners, millers, meat packers, etc. The chances are that the middlemen would not be able to pass it back to the producer or on to the consumer, except in some instances, but they would have to absorb part if not all of it in their overhead expenses.

There are so many middlemen, between the farmer and consumer, that the fee would be absorbed in the marketing process between the farmer and the consumer. Nevertheless even though the farmer should pay the entire amount of the fee, the benefits to him in increased prices would much more than repay the small amount of the fee. It is a well-known fact in economics that the existence of a small surplus on the market depresses the price for the entire supply. By the collection of a small equalization fee upon each unit of the commodity entering into commerce, a fund is secured with which to withhold this relatively small surplus from the market and thus prevent the depression of the price for the bulk of the crop offered for sale. Surely no farmer would object to paying a cent a pound as an equalization fee on cotton if thereby he could secure for his entire crop an average increase in the price of 5 cents per pound. For example, in the months of September, October, and November, only 75 or 80 per cent of the cotton is moved to market. The average farm price received by the producers for those months in 1926 was 13.2 cents per pound and the average for October and November was 11.3 cents per pound. During those three months only about 24 per cent of the total yearly consumption of cotton is consumed on the average. Several months later in the months of June, July, and August of 1927, the price of cotton had risen to an average of 15.8 cents per pound. The next three months it averaged 21.1 cents per pound. If the McNary-Haugen bill had been in operation the Federal Farm Board could have authorized the cotton cooperatives to remove the surplus from the market in the fall of 1926, thus checking the disastrous break in prices to the producers, and by means of a small equalization fee, the surplus could have been carried over into the next year at a considerably enhanced price thus enabling the farmer to get a higher return for his cotton, stabilizing the price at a more profitable level, and distributing the expense equitably upon each marketable unit of the commodity, since all would get their proportionate share of the benefits.

As a matter of fact the fee will not be collected direct from the farmer but from the middlemen. The effect of the measure will be to reduce the spread between the producers and consumers and to stabilize farm prices at a higher level without adding unnecessarily to the retail cost to the consumer.

Who are the principal enemies of this measure? They are the middlemen, that is, some but not all of the cotton spinners, the flour millers, and others who have made profits at the expense of both the farmer and the consumer. On the other hand, there is overwhelming support from the farmers and other leaders in favor of this measure. No other measure has been proposed which has gained such widespread support among the farmers and despite bitter assaults and misrepresentations, the McNary-Haugen bill has gained rapidly in favor and successfully withstood the fire of criticism for the past three or four years. If this measure were drafted primarily for the benefit of the middlemen or if the effects of this operation would result primarily in the enrichment of the middlemen, then it seems strange that they are the principal opponents of this legislation. Surely the acute thinkers, the trained economists, and the brilliant legal talent employed by some of the great industrial corporations of middlemen would have perceived ere this these exclusive benefits alleged to be in their behalf. Quite the contrary, it is from the middlemen that the chief opposition of this bill is directed. I believe this is one of the best answers to the charge that the bill is primarily for the benefit of the middlemen.

The only way in which the board can operate through the middlemen is by means of the emergency provision of the bill, which authorizes the board to arrange for the disposal of surpluses through other agencies than the cooperatives. This, however, is merely an emergency provision to enable the board to deal with the surpluses in the event the cooperatives should find themselves unable to handle the surpluses. This provision is safeguarded by various provisions of the bill:

First. It is to be resorted to only when the board finds that the cooperative associations are unable to handle the surpluses;

Second. The commodity advisory councils are authorized to represent the interest of the producers to the board in all its operations;

Third. The conditions which must be found by the board before the operating period can be declared and marketing agreement entered into are definitely provided for in the bill;

Fourth. The marketing agreements and the operations of the board therein are subject to restraint by the courts if the fundamental policies for the benefits of agriculture as outlined in section 1 of the bill are violated;

Fifth. This is a discretionary and not a mandatory provision;

Sixth. It is a safety provision to be used as a last resort whenever the cooperatives are not able to cooperate with the board in disposing of the surplus; and

Seventh. The board must secure the approval of its findings by the advisory councils which represent the producers.

You ask how this organization will be financed when there is no equalization fee to draw from, and you state that this measure will cost the Government one-half billion dollars annually, whether there is any surplus or not. The bill provides an appropriation of $500,000 to pay the administrative expenses of the board. The expenses of disposing of the surplus are to be paid out of the equalization fee collected on each unit of the commodity and not out of the Federal Treasury. The equalization fee can be collected only under conditions specified definitely in the bill, and the findings of the board must have the approval of the commodity advisory councils representing the producers, as I have already explained. Thus the board's expenses will be borne out of the annual appropriation of $500,000, just as the expenses of any other Federal board are met, and the expenses of handling the surplus will be borne by the commodity and can only be incurred under definitely specified conditions.

I do not share your prediction that the surplus in farm products "is not likely to worry this country very much longer." Concerning your statements that there is no longer a surplus of cotton, that the wheat surplus is diminishing, and that we now export not more than 1 per cent of our production of corn, I wish to point out the production of cotton in 1927 was curtailed primarily because of the disastrously low prices received in 1926, and that we always have a large surplus of cotton for export. According to the data published in Crops and Markets, December, 1927, by the United States Department of Agriculture, the production of wheat in 1927 was 871,000,000 bushels, compared with 831,000,000 bushels in 1926; the production of corn in 1927 was 2,700,000,000 bushels, compared with 2,600,000,000 bushels in 1926.

Neither can I agree with you that the "laws of supply and demand, aided, it may be, in some instances by a protective tariff, will entirely solve the surplus farm-product question of the American farmer." The agricultural depression has continued now for seven years, yet neither the laws of supply and demand nor the protective tariff have restored agriculture from its ruinous condition. I believe the farmers are entitled to legislative assistance by the Federal Government to place agriculture on a prosperous basis, just as this has been done for other groups by the Government.

The McNary-Haugen bill is a real farm-relief measure, which will enable the farmers through their cooperative associations to handle agricultural surpluses so as to stabilize prices at a more profitable level without Government subsidies, without putting the Government in business, and without placing an undue burden on the consumers.

Very sincerely,

W. C. HAMMER.

OLD-AGE PENSIONS

Mr. SIROVICH. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill which I introduced on the subject of old-age pensions.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. SIROVICH. Mr. Speaker, ladies, and gentlemen, the other day all the newspapers of New York City gave space to the story of four wrecked cast-offs in Brooklyn, voluntarily putting an end to their misery by choosing the convenient road of suicide.

One aged couple did it through the aid of gas tubes. According to the newspaper story, they owed three months' rent.

During their days of productivity each of these broken splints of human driftwood undoubtedly gave a full share toward the creation of the wealth of our country, but either missed the opportunity to save or perhaps circumstances and reverses did not allow them to put away a little for subsistence during the bleak and hoary days of old age. They starved.

All around them bustling society continued on its busy way and these unfortunates found themselves alone and unable to continue to carry on so as to keep the soul in their withered bodies.

They found it more convenient to make use of the gas tube, and they went.

Thousands of us read this story at our breakfast tables, and a great many thousands perhaps did not even read the story, just glanced at the headlines and either turned to the sporting page or read the latest news of presidential possibilities.

Perhaps there were a few of us who, reading of these suicides, paused for a moment and brought to mind the immortal lines of Hood, somewhat paraphrased:

Oh, for the rarity
Of Christian charity
Under the sun,
Is it not pitiful
In a whole city full
Home they had none.

The stories of these suicides followed on the heels of the recent report made by P. Tecumseh Sherman, of the National Civic Federation, in its so-called study of the extent of old-age dependence, stating that the extent of such dependence is really not at all serious, and that in its investigations in four States the federation found only 200 aged people destitute.

I wonder whether the reports of the federation included the four Brooklyn hapless ones.

Reading the story of these old derelicts on the ocean of life, I thought of the unfair, unjust, and un-American report of the National Civic Federation regarding our old, feeble, and worn-out workers, who labored in the quarries of American industry, but who through no fault of their own found themselves penniless, friendless, and homeless in their old age, denied the just rewards and the social fruit of their period of productivity in this the great civilized era of machine age. The aborigines of North America were more considerate. They took their aged and incapacitated and hied them far away from the village and there put an end to their misery and continued suffering.

That was humane.

Particularly was it thoughtful on the part of the red man when we realize that he subsisted on hunting, trapping, and fishing, and lived from hand to mouth. He had no banks; he had no reserve fund; he levied no taxes on those who could and should pay; he had no national reserve; he did not spend fortunes on educational systems and institutions; he established no hospitals, nor even penitentiaries, prisons, nor electric chairs.

The male hunted and fished; the squaw grew the corn and in her crude way milled it, prepared the food, and carried the papoose. When the warrior was no longer able to hunt and to fish, and when the squaw was no longer able to plant and to do the work around the tepee, the charitable offsprings who had not learnt to put away for a rainy day did a most humane thing.

What a shame and disgrace it is, however, to our civilization, when, after taxing ourselves for institutions and efforts of public welfare of almost every description, we forget those aged industrial veterans who worked and helped create the wealth of the Nation—forget the weary old men and women, sapped of strength to continue to work and to create.

Thomas Paine insisted that "society owed the youth his opportunity to enter the world of industry fairly equipped to cope and to carry on, and to the aged, the means to pass out of life decently and peacefully."

We are somewhat reconciled to our duty to our youth by the establishment of educational institutions to equip them mentally. While this effort on our part is praiseworthy, there is, however, a selfish motive in arming the industrial soldier more effectively so that he can more ably create and build.

Our old and feeble are still subject to charity, because, perhaps, we do not look forward for any material profit from them any more.

Old people are known to strive to hang onto life as tenaciously as possible under all circumstances. When four old people in one borough commit suicide in one day there is obviously something more serious facing them than what the National Civic Federation seemed to convey. These people evidently have found life unbearable in old age under the present prospects of inability to find employment and with the poorhouse or public charities as the only alternatives to a life of unbearable wretchedness.

I am convinced that the adoption of the bill which I introduced in Congress providing for Federal aid to States adopting old-age pension laws would prevent innumerable tragedies.

Forty-two nations of the civilized world have already adopted various forms of government pensions to their aged and infirm. Our country, rich and affluent, munificent and broad-hearted, renowned for its institutions of public welfare and general good, is still generations behind in its care for those who have reached the twilight of life and who need care and who should have our support.

Men and women in the office and in the workshop and in the street all agree that government care of the aged is a governmental duty. The newspapers of the country, indeed all influential newspapers, should give space to this cause and help bring about our realization of our paramount duty to help and blot out the crying shame of our criminal negligence.

To determine the extent of old-age dependency in the United States, I introduced the following joint resolution on April 19, 1928:

Whereas over 40 civilized nations of the world have introduced and developed in conformity with their separate needs, scientific and comprehensive methods of taking care of their aged dependents, in the form of old-age pension or insurance systems; and

Whereas the United States shares the unenviable distinction of being associated with China and India as the only large countries in the world having no modern adequate provision for their aged and dependent poor; and

Whereas the United States, as a Government and a people, has uniformly shown its high regard for human rights by placing them not on a parity with property rights but above it when the call of humanity demands; and

Whereas this attitude has been given practical expression in various forms of national and humane legislation such as workmen's compensation and employees' liability, Sheppard-Towner maternity bill, vocational education bill, etc.; and

Whereas the tendencies of our modern industrial civilization are such as to render it difficult for those suffering from the infirmities of age to secure a wage sufficient for their needs and to maintain body and soul together; and

Whereas investigation has shown that there exists a close association between old age and dependency, or destitution, and that conditions creating dependency are such as are often beyond the power of the individual to meet or to provide against; and

Whereas the honest and industrious workingman who, by his labor, has added to the wealth of the Nation, and who, through no fault of his own, but by reason of impaired health or strength due to age, is deprived of his earning power, is entitled to consideration other than as an object of charity; and

Whereas the almshouse and outdoor poor-relief systems in force in the United States represent an antiquated as well as costly method of helping the aged, and the taint of charity serves to embitter the declining years of thousands of worthy and respectable old men and women whose only crime is old age and poverty; and

Whereas the home is the highest and finest product of civilization, yea indeed the foundation of society and government, no sacrifice should be considered too great to preserve it; and

Whereas the almshouse method of poor relief serves to break up the home and thus runs counter to man's greatest need in the last few remaining years left him by his Maker; and

Whereas in the last 10 years the importance of old-age pensions as a substitute for other systems of relief now in force has been recognized in the United States by the adoption of such laws in six States and the Territory of Alaska; and

Whereas since 1907, 17 investigating commissions have been appointed to study and report their findings as to the advisability of adopting old-age pension legislation and as to the various methods of old-age relief in operation in other States and foreign countries; and

Whereas these investigations have resulted in general agreement as to the urgent need of legislation of a broader and more humane kind in behalf of the dependent aged; and

Whereas the question of old-age pensions and the appropriate legislation in each State is conditioned by different factors, and the local differential must be taken into consideration; and

Whereas such investigations are being continued and new ones are being inaugurated, involving considerable duplication of effort: Now, therefore be it

Resolved, etc., That an old-age security commission be created to consist of 15 members and to be constituted as follows: That the President of the Senate be, and hereby is, empowered to appoint four United States Senators; that the Speaker of the House of Representatives be, and hereby is, empowered to appoint four Members of the House of Representatives; that the President of the United States be, and hereby is, empowered to appoint seven members to consist as follows: Two representative employers of labor, two representatives of organized labor, and three public-spirited citizens; that the members are to serve without pay excepting for legitimate expenses incurred while transacting the business of the commission; that the commission is authorized to employ the proper experts and investigators and to secure all other necessary assistance to enable them to compile a complete report appertaining to the subject of old-age dependency in the United States; and be it further

Resolved, That the commission be authorized to report within two years from the passage of this resolution on (1) the extent of old-age dependency in the United States, (2) existing systems of relief for the aged in the various States, (3) the nature and workings of the old-age pension legislation adopted in this country, (4) the methods of old-age provision in vogue in the various foreign countries, and (5) the probable costs involved in the various forms of old-age pension systems; and be it further

Resolved, That the commission be empowered to subpœna persons, records, documents, data, and such other information as may be deemed

necessary to aid the commission in the ascertainment of the facts; and be it finally

Resolved, That the commission be allotted $75,000 to enable them to make a complete and thorough investigation upon every phase of old-age dependency in the United States.

The need for this joint resolution can be readily realized and appreciated by the membership of this historic body when they will read the following article I wrote to the editor of the New York Times:

To the EDITOR OF THE NEW YORK TIMES:

Permit me to call the attention of your readers to the statement carried in Friday's Times, in which P. Tecumseh Sherman, of the National Civic Federation, was quoted to the effect that State old-age pensions are "a discredited experiment." Mr. Sherman, of course, knows that this is not quite true, since something like 35 nations to-day are caring for their dependent aged through systems of old-age pensions or insurance. Since the World War 14 additional countries adopted such plans, and only a month ago France, the most thrifty and individualistic nation, enacted one of the most comprehensive systems of social insurance. This record is hardly "discrediting."

Mr. Sherman's contentions that somehow the United States alone can escape sound State or Federal provision for the aged are based solely on the conclusions drawn by himself of the findings of the recent report of the National Civic Federation conducted under his general direction. The conclusions of that report have become so discredited everywhere that one is surprised to find Mr. Sherman bringing them up again. The very facts contained in that report repudiate Mr. Sherman's conclusions.

In a recent article in the New Republic Dr. I. M. Rubinow, one of the leading authorities in this field, showed that in spite of the fact that the cases selected by the civic federation's investigators were not at all representative of the general working population, since it included more than twice the normal percentage of manufacturers, merchants, professional persons, etc., and aside from the fact that the enumerators excluded entirely the aged already provided for in public and private relief institutions, the federation's own investigations showed that—

(1) Twenty-five per cent of the men and 34 per cent of the women over 65 years of age own no property at all.

(2) Forty per cent have no income from work or business and some 17 per cent have neither property nor income.

(3) Over 25 per cent, by their own admission, are totally unable to work, and 30 per cent are able to do only light work which added to the disqualification of age makes them practically unavailable for industry. The comparatively high percentage of those still able to work (about 45 per cent) is probably largely due to the peculiar occupational distribution, the excessive representation of professional and commercial groups.

(4) Many of those who were forced to retire are, in addition, afflicted by chronic illness, rheumatism, invalidity due to accident, etc.

(5) Of the total number, some 60 per cent receive no aid, and 40 per cent are assisted primarily by children and to some extent by other relatives and friends. The number of those supported by public charity is very small, less than 1.5 per cent. That, of course, is largely explained by the failure to include any old people maintained in institutions.

It is in order to clarify the atmosphere in this controversy that on April 19 I introduced in Congress Joint Resolution 278, providing for the creation of an impartial United States commission to study the entire subject from every angle. The commission is to be made up of 4 Senators, 4 Congressmen, 2 representatives each of employers and organized labor, and 3 public-spirited citizens to be appointed by the President of the United States. An appropriation of $75,000 is asked in that bill. This commission would not only prove of immense value to all persons interested in the subject, but would, once for all, settle scientifically and properly this mooted question.

In view of the fact that about the same time as my resolution was introduced Representative JOHNSON of Washington introduced another resolution appropriating from $25,000 to $50,000 for a commission to study the destruction of fish in certain dams and rivers, I feel it would be comparatively cheap to invest a similar sum in the study of the conditions of and proposed remedies for our destitute and dependent aged, who have given their lives to our industries and to our welfare. If Mr. Sherman and his supporters are really sincerely desirous of the actual facts in the case I hope they will do everything possible to help the establishment of such a commission.

Mr. Sherman's present remedies along the lines of poor relief and the adoption of industrial pension plans by private corporations can hardly meet the present needs. The poor-relief system stands indicted beyond redemption. Industrial pension plans with their long periods of service requirements can never meet the present emergency, since only a small percentage of workers stay with one corporation long enough to qualify for these benefits, and only large industrial establishments can afford to undertake such provisions.

It is true that the contributory-insurance plan is spreading abroad. Side by side with this system, however, there is everywhere in existence a noncontributory system of pensions supported entirely by taxation which aims to alleviate the immediate needs. Plans along the same lines are urged by the advocates of humane care for the aged in the United States, since the old men and women now destitute can hardly be expected to make contributions for their own support. The American Association for Old Age Security, the leading organization promoting this subject, is working toward this entire program.

If, as Mr. Sherman suggests, the poor-law system, which in essence dates back to the period of Queen Elizabeth, is not archaic, then by the same logic the stagecoach in these days of trans-Atlantic flying remains the most up-to-date method of transportation.

There can be no doubt that old-age dependency and its relief is for the great interest of the public. As a Nation we spare no pains to get at the bottom of hog cholera and the boll weevil. The fate of superannuated human beings is equally important. A number of reasons exist as to why a study of this subject is desirable. In the first place, there is a serious lack of knowledge as to why old-age dependency exists in the United States. The problem of unemployment is one of the pressing problems of the day. Another tendency which is daily aggravating the gravity of this subject is the lengthening life span, a product of our better knowledge of sanitation and practice of hygiene.

The other is the reducing age limit at which workers are barred from employment by many great employment agencies.

All these factors need to be reckoned carefully before we will be in a position to take up intelligently suggestions of old-age relief.

There ought to be a careful assembling of all information available upon these and related points throughout the Nation.

It is a type of census work appropriate for the Federal Government of the United States.

Four million men and women have been denied the right to work in our country due to physical defects. In the coal fields of Pennsylvania, Virginia, Ohio, and Illinois more than 100,000 men have been forced into idleness. Tremendous suffering, destitution, and privation are found among old fathers and mothers who have contributed their all on the altar of service to make our Nation the greatest and most prosperous in all the world.

The twentieth century of civilization will be known as the great machine age in which most of the industrial work upon farms and elsewhere is being perfected and done through the medium of machinery.

To-day when a man or woman needs work at the age of 45, he or she has great difficulty in finding anyone to give them employment.

Imagine therefore what happens when an old mother or father at the age of 65 or 70 tries to find employment in the great industries of our Nation.

We need a commission to inquire into the subject of old-age pensions, to make old age secure until the curtain of life falls upon our aged citizens. Social responsibility for the aged in Europe is widely recognized. The countries of Europe take care of their aged as a collective responsibility, not necessarily through State monopoly or State bureaucracy but through collective associated activities.

Between 1890 and 1914, a period of 24 years, 14 countries enacted old-age pension legislation.

Since the beginning of the war, a period of 14 years, an additional 14 countries enacted legislation of this character.

The credit of having enacted the first old-age pension law in the world relongs to the world's oldest Republic, Iceland, which celebrates its one thousandth anniversary in 1930. Iceland's foster state, Denmark, enacted an old-age pension law in 1891. New Zealand, a country recognized as having a very equitable distribution of wealth, enacted an old-age pension law in 1898. Other countries, both rich and poor, among European and England's dominions made their first essays in such legislation between 1906 and 1913. Great Britain, Belgium, and Canada have, during the last decade, approved the principle of old-age pensions.

Some years ago I visited an institution for the aged. The superintendent was showing me through, and as we were passing a side corridor something strange attracted my attention. I noticed a white-haired, stooped old man approach a feeble old lady. He put his arms gracefully around her waist and kissed her tenderly. I looked on bewildered.

When we reached the office I frankly asked the superintendent whether romance and love could still be found among the inmates of his institution. The superintendent smiled and explained that there was little danger of elopements among the inmates and that he had no difficulty in maintaining a proper morale.

After a brief explanation, he informed me that the old man was the husband of the lady he embraced. The institution, un-

fortunately, he went on to say, had made no provisions for the maintenance of married couples together; that husbands and wives had to be kept in separate quarters and that the display of affection I had witnessed was a daily occurrence whenever such couples met in the corridor.

This particular couple had been married 54 years. They had nine children, of whom four were still living. All of these had large families and, because of their small earnings, were unable to help their parents.

MANY PITIFUL TRAGEDIES

About the time of this visit I had the privilege of participating actively in the framing of widows' pensions and child-welfare legislation for the orphans and dependent children of the State of New York. Instead of the earlier method of placing dependent, fatherless children in orphan asylums, compelling the mother, heart-broken and alone, to eke out an existence as best she could, we are now providing, through our child welfare law, for the maintenance of these children by the mother in her own home.

In New York City alone we have taken care of 40,000 mothers and orphans, at an expense of $7,000,000 per year. Experience has shown that this law has not only prevented many pitiful tragedies and the pauperization of the children, but that the actual cost to the taxpayer to support a child in its own home with its mother is less than maintaining such a child in an institution.

As I thought over the touching incident of the aged couple I saw in the institution for the aged, I reflected that while we have the wisdom to see the social, moral, economic, and humane advantages of maintaining the home for the child, we have somehow ignored or entirely forgotten our aged parents, who have kept an independent home for themselves and who contemplate life in an institution with dread and horror.

A TERRIFYING OUTLOOK

How terrifying must it be for such people to be forced to spend their final days abandoned as inmates of an isolated, cold, barren, four-walled room in a charitable institution.

Indeed, it is time that we began to consider this situation seriously. The difficulties to be faced in old age are fast growing harder. Most of our people to-day no longer work in some little business for themselves as they used to, but are more and more coming to depend upon their daily job for their daily bread and sustenance.

Furthermore, through our progress in public health and sanitation, we have made it possible for a greater number of people to reach old age. The number of the aged is increasing relatively as well as absolutely. In 1870 the aged population numbered a little over 1,000,000. To-day the number is approximately 5,500,000. Twenty-five years ago the aged constituted less than 3 per cent of the total population. To-day they comprise nearly 5 per cent.

On the other hand, modern industry finds less and less room for older workers. Practically all railroad corporations and numerous industrial concerns to-day deny new and permanent employment to a skilled workman after 45 years of age and to an unskilled workman after 35 years of age. Even municipal and State employment is now refused in most of our Eastern States to persons over 45 or 50.

As a result of these changed conditions, it is now conservatively estimated that at least 1,800,000 aged persons are dependent, in the sense that they have not accumulated a sufficient income to provide them even with the barest necessities. Thus, there is a crying need for some constructive solution of this poignant problem.

Our present methods of relief for the aged are extremely antiquated—indeed, a blot upon our civilization.

1. The "poor laws" in our States are practically all modeled after the old British poor-law system. In the main, this system has existed with little change for over 300 years. Indeed, in many of our States the poor-relief systems are still almost identical with the Elizabethan law of 1601.

Shameful as it may seem in this twentieth century, the poorhouses in the United States are "catchall" institutions. There are rarely strict regulations as to admission and discharge of inmates, and there is always a heterogeneous assemblage in these homes. They include the young and the old, the feebleminded and epileptic, prostitutes and abandoned babes, inebriates and worn-out toilers. They are the homes of both the veterans of labor and the veterans of dissipation—derelicts and driftwood from every form of social, industrial, and economic life.

The inmates are given mostly coarse and unpalatable food. A study conducted by the Pennsylvania Commission on Old Age Pensions showed the following annual food rations served to inmates and supervisors in one almshouse of the better class:

	Per inmate	Per steward
Butter	7½ pounds	30 pounds.
Eggs	38	200.
Chicken	1 ounce	10 pounds.
Milk	23 quarts	101 quarts.

2. To a great extent the private charitable organizations represent no improvement over the public poorhouse. The stigma attached to such relief agencies need hardly be discussed. They are the last refuge of the very helpless poor. Furthermore, the management of these institutions is extremely wasteful. This was shown by a recent study made in Boston, where less than 900 aged persons were taken care of by 151 different charitable organizations, while each of 54 of these aged was receiving his pittance from five and more agencies.

3. The number of aged persons relieved and cared for by the pension plans of industrial concerns and fraternal and trade union associations is negligible. Few of these are established on a sound financial basis, and most of them represent only good-will promises.

The history of private pension systems, laudable and ambitious as were their intentions and purposes when founded, is strewn with wrecked pension plans and not one of these forms of relief can be depended upon to offer any enduring solution of the great problem.

The most comprehensive study of industrial pensions recently published by the Pennsylvania Old Age Pension Commission shows that these take care of only from 5 to 6 per cent of the needy aged. The Pennsylvania commission after a complete study of the financial side of the industrial-pension plans concludes:

> The large majority of the pension systems now in operation are so constructed as to preclude any hope of their ever becoming effective instruments in solving the growing problem of old-age dependency to any considerable degree.

The fraternal and trade-union pension plans are on the whole not more actuarily sound than the industrial plans.

That the present method of poor relief is not only out of date but economically wasteful is evident from the following:

A recent study entitled "The cost of American almshouses," made by the United States Department of Labor in 1925, shows that the maintenance cost per inmate in almshouses throughout the country ranges from $293.89 a year in 16 institutions to $508.13 a year in 787 institutions.

The Pennsylvania Commission on Old Age Assistance, in its report submitted to the 1925 Pennsylvania Legislature, showed that for the present cost of an almshouse inmate in that State three persons could be supported on a pension in their own homes. A survey recently made by the same commission of the pension system in operation in Montana discloses that in 12 out of 22 Montana county almshouses the cost per inmate is five times higher than the average pension paid in the same counties. At the same time every applicant preferred the meager pension to the more expensive and presumably better care provided in the county poorhouses.

UNITED STATES LAGS

Indeed, the backwardness of the United States in this measure of social justice to its aged toilers, despite its tremendous wealth, is conspicuously shown by the following statement in the recently published legislative report of the Pennsylvania Commission on Old Age Pensions. Says the commission:

> Our studies of pension plans in foreign countries show that during the last quarter century practically every civilized nation in the world has either already adopted a carefully worked out system of old age provision or is contemplating such in the near future. About 6,500,000 persons are now already protected with one form or another of modern insurance or pension provisions against the economic hazard of old age.
>
> Indeed, of the populous countries still remaining without any form of constructive care for the aged only China, India, and the United States are left. Of the industrially developed nations the United States as a unit stands alone in its isolation in still applying early seventeenth century methods to twentieth century problems.

The Dominion of Canada, which, until recently, was the only other English-speaking country besides the United States without a pension plan, finally deserted our fold last March and adopted a federal pension plan.

Is it not time for the richest nation on earth to accord to its fathers and mothers at least the same measure of security and comfort as is given to-day even by the poorest of nations, such as Ireland, Belgium, Rumania, Jugoslavia?

Is it not obvious that when two out of every five persons reaching old age in this great Nation become dependent upon

others for support that the cause of dependency lies not with themselves, but with the social and economic conditions over which they have little or no control? Therefore society is obligated to come to their help when they no longer can eke out a livelihood out of their own toil.

APPEAL TO CONGRESS

Once the conditions are made sufficiently known, I am convinced that the American people, who have never failed to respond to a humanitarian cause, will demand that justice be done, and that our old men and women who contributed during their long lives much to the Nation's progress will be enabled at least to spend their declining days in some measure of comfort and happiness, in an honorable and self-respecting manner in their own homes, amid hallowed surroundings and among those near and dear to them.

Therefore, in cooperation with the recently organized American Association for Old-Age Security, which is made up of representative leaders of every religious denomination, social workers, and representatives of capital and labor, I have prepared a bill for consideration by this Congress as the first step in the movement for the bettering of this class of unfortunates.

In my humble opinion, it is our duty to care for and relieve those who have fallen by the wayside through no fault of their own—victims of social and economic injustice. This can be done only most efficiently and most economically through the agency of progressive, up-to-date, humane legislation based upon the lessons of many years of sociological observation and research.

To realize the principle of old-age security in the United States, in conjunction with Prof. Joseph Chamberlain, of Columbia University, Mr. Abraham Epstein, secretary of the American Association for Old-Age Security, as well as other distinguished citizens of our country, I prepared a bill called the "old age security bill," which I think will stand the test of the constitutionality of the United States Supreme Court, and that I sincerely hope may be adopted by the Seventy-first Congress as an onward and forward step in the civilization of our Nation in which once and for all it will arraign itself with all civilized nations of the world that have approved the principle of old-age pensions. This bill of mine reads as follows:

Be it enacted, etc., That this act shall be known and may be cited as the United States old age security act."

SEC. 2. Definitions: When used in this act—

(a) "Bureau" shall mean the old age security bureau;

(b) "State authority" shall mean the State authority charged with cooperating with the commission;

(c) "Assisted person" shall mean a person entitled to receive assistance under a State plan approved by the bureau;

(d) The masculine shall include the feminine.

SEC. 3. Authorization and appropriation: There is hereby authorized to be appropriated annually, out of any money in the Treasury not otherwise appropriated, the sum of $, to be apportioned among the States as provided herein, to aid them in giving assistance to aged persons under the conditions of this act.

SEC. 4. Allotment not to be used for lands: No portion of any money allotted under the act for the benefit of any State shall be applied to the purchase, rental, erection, repair of any building, or for equipment, or for the purchase or rental of any lands.

SEC. 5. Money to be spent by State: All money allotted under this act to any State shall be expended under the supervision of the State authority.

SEC. 6. Acceptance of act by State: In order to receive the benefit of this act, any State shall through its legislature—

(a) Accept the provisions of this act;

(b) Empower and designate a State board or officer as the State authority to prepare the plan herein provided for, to cooperate with the bureau, and to supervise the expenditure of the funds;

(c) Appoint the State treasurer as custodian of any allotment paid it under this act, who shall receive and provide for the proper custody and disbursement of all money so paid.

SEC. 7. (1) There is hereby created in the Department of Labor a bureau to be known as the old age security bureau.

(2) The bureau shall be in charge of a director to be appointed by the Secretary of Labor.

(3) There is hereby authorized to be employed by the bureau, chief clerk and such special agents, assistants, clerks, and other employees at such rates of compensation and in such numbers as Congress may from time to time provide by appropriations.

(4) There shall be an acting commission to the bureau which shall consist of the director of the bureau, the Director of the Veterans' Bureau and three persons appointed by the President for terms of four years and until their successors are appointed and have qualified. The three appointed members shall be persons who have had experience in social work and they shall be paid their expenses when on the business of the commission.

SEC. 8. Duties of bureau: It shall be the duty of the bureau to carry out the provisions of this act and to that end—

(a) To make the necessary rules and regulations;

(b) To examine plans submitted by a State authority for the disbursement of an allotment to the State under this act and to approve such plans and any changes thereof;

(c) To make necessary investigations of the administration of any plan approved by it;

(d) To cooperate with State authorities and other agencies, public and private, for the purpose of improving the administration of old-age assistance, and of studying the problem of old age in the United States;

(e) To withhold from any State the payment of any allotment or installment thereof, when it decides that the money allotted is not being expended as provided in the plan;

(f) To certify to the Treasurer of the United States the amount of allotment to any State;

(g) To take any other action necessary to carry out the purpose of this act.

SEC. 9. Appeal to President or Secretary: When any allotment or any installment thereof is withheld by the bureau, the State affected may appeal to the Secretary of Labor, and from his decision to the President of the United States, who may either affirm or reverse the action by the bureau or the Secretary as he may judge proper. The bureau on receiving notice of the opinion of the Secretary or of the President shall take action to accord with it.

SEC. 10. Contents of plan: The bureau shall not approve any plan submitted by the State authority which does not provide that—

(1) An old person entitled to relief under it:

(a) Has been a citizen of the United States for at least 20 years and resident of the State for a period of years determined by the State law providing old-age assistance; and

(b) Is 70 years old or over; and

(c) Does not possess real and/or personal property of a value in excess of $5,000; and

(d) Has no child or other person responsible under the law of the State for his support and able to support him; and

(e) Has not disposed of any property during the five years prior to his application for relief, unless the State authority has, under a power granted by the State statute, waived this requirement; and

(f) Has been decided by the State authority to be of good moral character.

(2) There shall not be charged against the allotment made under this act more than one-third of the total sum paid to aged persons under the plan, except that payment made in excess of $1 a day to any such person shall not be taken into account.

(3) So much of any sum paid as assistance, which shall be equivalent to the share paid from the allotment under this act, shall be a lien on the estate of the assisted person and upon his death shall be collected by the State and reported to the bureau provided in this act.

SEC. 11. Changes in plan: The State authority may at any time submit proposed changes in the plan to the bureau, which may approve such changes if they are in accord with the provisions of this act.

SEC. 12. Report by State authority: (1) The State authority shall annually on or before the 1st day of May of each year, or as soon thereafter as possible, submit to the bureau a statement—

(a) Of the amount of the appropriation made by the State for the period of the ensuing fiscal year for the purpose of assistance without including any part of the expenses of administration; and

(b) An estimate of the sum which must be contributed by any political subdivision of the State during such year for the purpose of assistance without including any part of the expenses of administration; and

(c) A statement of the amount collected, if any, from the estate of any assisted person for which the State is accountable to the United States under section 9, subsection (2); and

(d) An estimate of the amount unexpended of any allotment made from appropriation under this act for the current year.

(2) (a) The bureau shall compute annually the amount of allotment to be given such State at one-half of the sum of (a) and (b) of subsection (1) of this section, after deducting from such one-half the sum of (d) and (c) of such subsection.

(b) If the amount of assistance to any aged person under the plan be at a rate in excess of $1 a day, then only so much of the appropriations by the State and the political subdivisions thereof shall be taken as a basis for computation, which when added to the Federal allotment will provide assistance at a rate of $1 a day.

(c) If the sum of all allotments be in excess of the appropriations for the purpose, then the allotment to each State shall be diminished in the same percentage as the total allotments in excess of the appropriation bear to the total of the appropriation.

(3) The State authority shall report at such date to the bureau, in respect to the administration of the plan, and shall make such other reports at such time as may be fixed by the bureau.

(4) Each State authority as soon as possible after the 30th day of June of each year shall notify the bureau of the exact amount unex-

pended of its allotment for the year ending on such 30th day of June, and the bureau shall adjust the allotment to each State in accordance therewith.

SEC. 13. Notification to Treasurer: The bureau shall annually notify the Treasurer of the United States of the States whose plans have been accepted and are in force and the amount of the allotment made to each State. The Treasurer shall thereupon pay to the treasurer of each such State the sum so allotted in quarterly installments, beginning the 1st of July of each year unless he is notified by the bureau to withhold or change the amount of any allotment, in which case he shall act in accordance with such notification.

SEC. 14. Action of Comptroller General: The Comptroller General is authorized and directed to allow credit in the accounts of the Treasury of the United States for payment of allotments in the amount notified him by the commission.

SEC. 15. This act shall be incorporated into the Code of Laws of the United States of America as chapter 5, title 29: Labor; and the sections shall be numbered in said code consecutively, sections 51 to 67, inclusive.

SEC. 16. Chapter 5 of title 29: Labor, of the Code of Laws of the United States of America is renumbered chapter 6; section 51 is renumbered section 82, and section 52 is renumbered section 83.

NANCY HART

Mr. BRAND of Georgia. Mr. Speaker, I ask unanimous consent to extend my remarks on the bill H. R. 7452 and include some excerpts from a few histories concerning Nancy Hart.

The SPEAKER. The Chair is not inclined to recognize the gentleman to insert historical excerpts in the RECORD.

Mr. BRAND of Georgia. May I have a minute to give a reason for making the request?

The SPEAKER. Certainly.

Mr. BRAND of Georgia. This woman is of Revolutionary fame. Not only the young people of the counties of Elbert and Hart in Georgia but also the D. A. R. associations of the State would like to have a brief statement made of her history and character and her activities during the Revolutionary War.

The SPEAKER. Is there objection to the gentleman's request?

There was no objection.

Mr. BRAND of Georgia. Mr. Speaker, under the leave to extend my remarks in the RECORD upon the bill referred to I include the following:

Under the terms of the above-stated bill the Secretary of War is authorized to erect at some suitable point at Alfords Bridge, which crosses the Savannah River in the county of Hart, State of Georgia, on the national highway between the States of Georgia and South Carolina, a tablet or marker to commemorate the memory of Nancy Hart, the county of Hart and the city of Hartwell being named in her honor.

Subsequently I introduced another bill which authorizes the Secretary of War to erect a tablet or marker to be located at the home place of Nancy Hart, in Elbert County, State of Georgia, on War Woman's Creek, being near Dyes and Wills Ferries, at what was then known as Fish Dam Ford on Broad River, to commemorate the memory of Nancy Hart and to indicate where she lived during the American Revolution.

In Memorials of Dixieland, by Lucian Lamar Knight, M. A., LL. D., the author writes:

It was during the troublous days of Toryism in upper Georgia that Nancy Hart performed the courageous feat which has since carried her name to the ends of Christendom. There is perhaps no exploit in our annals richer in the thrilling elements of the drama. It was staged in a little cabin of the backwoods.

The Hart family, into which she married, an aristocratic one, gave a wife to the illustrious Henry Clay, while it flowered again in the great Thomas Hart Benton, of Missouri. Her own maiden name was Nancy Morgan, a name which honorably connects her with one of the best families of the Old Dominion. She has left us no mound to bedew with our tears, to bedeck with our garlands; but she has left us an immortal memory.

In the Women of the Revolution, by Elizabeth F. Ellett, written in 1848, the authoress writes:

At the commencement of the Revolutionary War a large district in the State of Georgia, extending in one direction from Newsons Ponds to Cherokee Corner near Athens and in the other from the Savannah River to Ogeechee River and Shoulderbone, had been already organized into a country which received the name of Wilkes, in honor of the distinguished English politician. At the commencement of hostilities so great a majority of the people of this country espoused the Whig cause that it received from the Tories the name of the "Hornet's Nest." In a portion of this district, near Dye's and Webb's ferries on Broad River, now in Elbert County, was a stream known as "War Woman's Creek," a name derived from the character of an individual who lived near the entrance of the stream into the river.

This person was Nancy Hart, a woman entirely uneducated and ignorant of all the conventional civilities of life, but a zealous lover of liberty and of the "liberty boys," as she called the Whigs.

On the occasion of an excursion from the British camp at Augusta a party of loyalists penetrated into the interior, and, having savagely massacred Colonel Dooly in bed in his own house, proceeded up the country with the design of perpetrating further atrocities. On their way a detachment of five from the party diverged to the east and crossed Broad River to examine the neighborhood and pay a visit to their old acquaintance Nancy Hart. When they arrived at her cabin they unceremoniously entered it, although receiving from her no welcome but a scowl, and informed her that they had come to learn the truth of a story in circulation that she had secreted a noted rebel from a company of "king's men" who were pursuing him, and who, but for her interference, would have caught and hung him. Nancy undauntedly avowed her agency in the fugitive's escape. She had, she said, at first heard the tramp of a horse and then saw a man on horseback approaching her cabin at his utmost speed.

As soon as she recognized him to be a Whig flying from pursuit, she let down the bars in front of her cabin and motioned him to pass through both doors, front and rear, of her single-roomed house—to take to the swamp, and secure himself as well as he could. This he did without loss of time; and she then put up the bars, entered the cabin, closed the doors, and went about her usual employments. Presently some Tories rode up to the bars, calling vociferously for her. She muffled up her head and face, and opening the door, inquired why they disturbed a sick, lone woman. They said they had traced a man they wanted to catch near to her house, and asked if anyone on horseback had passed that way. She answered no, but she saw some one on a sorrel horse turn out of the path into the woods some 200 or 300 yards back. "That must be the fellow," said the Tories; and asking her direction as to the way he took, they turned about and went off, "well fooled," concluded Nancy, "in an opposite course to that of my Whig boy; when, if they had not been so lofty minded, but had looked on the ground inside the bars, they would have seen his horse's tracks up to that door, as plain as you can see the tracks on this here floor, and out of t'other door down the path to the swamp."

This bold story did not much please the Tory party, but they would not wreak their revenge upon the woman who so unscrupulously avowed the cheat she had put upon the pursuers of a rebel. They contented themselves with ordering her to prepare them something to eat. She replied that she never fed traitors and king's men if she could help it—the villains having put it out of her power to feed even her own family and friends by stealing and killing all her poultry and pigs "except that one old gobbler you see in the yard." "Well, and that you shall cook for us," said one who appeared to be a leader of the party; and raising his musket he shot down the turkey, which another of them brought into the house and handed to Mrs. Hart to be cleaned and cooked without delay. She stormed in protest, but seeming at last disposed to make a merit of necessity, began with alacrity the arrangements for cooking, assisted by her daughter, a little girl 10 or 12 years old, and sometimes by one of the party, with whom she seemed in a tolerably good humor—now and then exchanging rude jests with him. The Tories, pleased with her freedom, invited her to partake of the liquor they had brought with them—an invitation which was accepted with jocose thanks.

The spring—of which every settlement has one near by—was just at the edge of the swamp, and a short distance within the swamp was hid among the trees a high snag-topped stump, on which was placed a conch shell. This rude trumpet was used by the family to convey information, by variations in its notes, to Mr. Hart or his neighbors who might be at work in a field, or "clearing," just beyond the swamp, to let them know that the "Britishers" or Tories were about, that the master was wanted at the cabin, or that he was to keep close, or "make tracks" for another swamp. Pending the operation of cooking the turkey, Nancy had sent her daughter, Sukey, to the spring for water, with directions to blow the conch for her father in such a way as should inform him there were Tories in the cabin, and that he was to "keep close" with his three neighbors who were with him until he should again hear the conch.

The party had become merry over their jug, and sat down to feast upon the slaughtered gobbler. They had cautiously stacked their arms where they were in view and within reach; and Mrs. Hart, assiduous in her attentions upon the table and to her guests, occasionally passed between the men and their muskets. Water was called for; and our heroine having contrived that there should be none in the cabin, Sukey was a second time dispatched to the spring, with instructions to blow such a signal on the conch as should call up Mr. Hart and his neighbors immediately. Meanwhile, Nancy had managed, by slipping out one of the pieces of pine which forms a "chinking" between the logs of a cabin, to open a space through which she was able to pass to the outside two of the five guns. She was detected in the act of putting out the third. The whole party sprang to their feet, when quick as thought Nancy brought the piece she held to her shoulder, declaring she would kill the first man who approached her. All were terror struck, for Nancy's obliquity of sight caused each to imagine himself her destined

victim. At length one of them made a movement to advance upon her, and true to her threat she fired and shot him dead. Seizing another musket she leveled it instantly, keeping the others at bay. By this time Sukey had returned from the spring, and taking up the remaining gun she carried it out of the house, saying to her mother, "Daddy and them will soon be here."

This information much increased the alarm of the Tories, who perceived the importance of recovering their arms immediately; but each one hesitated, in the confident belief that Mrs. Hart had one eye on him at least for a mark. They proposed a general rush. No time was to be lost by the bold woman; she fired again, and brought down another of the enemy. Sukey had another musket in readiness, which her mother took, and posting herself in the doorway, called upon the party to surrender "their Tory carcasses to a Whig woman." They agreed to surrender, and proposed to "shake hands upon the strength of it." But the victor, unwilling to trust their word, kept them in their places for a few minutes, till her husband and his neighbors came up to the door. They were about to shoot down the Tories, but Mrs. Hart stopped them, saying they had surrendered to her; and her spirit being up to boiling heat, she swore that "shooting was too good for them." This hint was enough; the dead man was dragged out of the house; and the wounded Tory and the others were bound, taken out beyond the bars and hung.

In Gov. George R. Gilmore's History of Georgia, 1855, he says:

Nancy Hart was one of the North Carolina emigrants. She was a tall, muscular, red-headed, cross-eyed woman. In the contest between the Whigs and Tories, in the Revolutionary War, she proved herself every inch a Whig.

Nancy Hart's confident courage stirred into patriotic action many vacillating, British-fearing men of the times. When the Whigs of upper Georgia were flying from the murdering and plundering of the Tories and their superiors, she stood her ground, ever disposed and ready to defend herself and hers from her country's foes.

The restless temper and fearless spirit which had urged Nancy Hart to fight for liberty made her the best backwoods woman after the war ended. She traced the bee to its tree and the deer to its lair among snakes and wild beasts with unequaled success.

I was a Member of Congress in 1828–29. General Jackson's successful election to the Presidency put the ambitious Members all agog to attract his favorable notice. One of the means used was proposing to fill the vacant niches in the rotunda with paintings descriptive of the Battle of New Orleans and his other great victories. I prepared a resolution, as an addition or substitute, to fill one niche with a painting of Nancy Hart wading Broad River, her clothes tucked up under one arm, a musket under the other, and three Tories ahead, on her way to the camp of the Whigs to deliver them up to the tender mercies of Col. Elijah Clark.

In The Life and Times of William H. Crawford, by J. E. D. Shipp, A. B., 1909, he says:

On the north side of Broad River at a point about 12 miles from the present city of Elberton, Ga., and 14 from historic Petersburg, in what is now Elbert County, was situated the log house in which Benjamin Hart and his wife, Nancy Morgan Hart, lived at the commencement of the Revolution.

The State records show that Benjamin Hart drew 400 acres of land on Broad River, and afterwards another body of land in Burke County. He was a brother to the celebrated Col. Thomas Hart, of Kentucky, who was father of the wife of Henry Clay.

Nancy Hart, alone with six boys—Morgan, John, Thomas, Benjamin, Lemuel, and Mark, and her two girls, Sally and Keziah—presents a unique case of patriotic fervor, courage, and independence of character unparalleled in history. Rough, unmanageable, 6 feet tall, spare, big-boned, and exceedingly strong, she was high spirited, energetic, and shrewd, and delighted in her prowess and physical strength. The Whigs all loved her—she was hospitable and kind to them. The Liberty Boys called her "Aunt Nancy." The Tories feared and hated her unrelentingly.

When Gen. Elijah Clark moved the women and children away from Broad River settlement to a place of safety in Kentucky most of them were anxious to go, but Nancy refused, and remained along with her children after her Whig neighbors had departed. Her life was in constant danger, but she was resolute, and inspired the Tories with a wholesome dread, and for a long dismal period she stood her ground. Her house was a meeting place for her husband's company. She aided as a spy and kept him informed of the movements of the enemy.

One day very near her dwelling "Aunt Nancy" met a Tory. She engaged in conversation with him, and after a while diverted his attention and seized his gun. There was a lively wrestle over the weapon, but her superior strength gained the mastery, and she marched him down the river a mile and a half to a fort known as the Old Block House and turned him over as a prisoner of war to its commander. All through Georgia and the Carolinas Nancy soon became famous. Her courage and confidence rekindled the smouldering sparks of liberty in hearts that were weary and ready to faint.

Hart County is the only one in Georgia named for a woman, and the town of Hartford, which in 1810 was the county seat of Pulaski County and likewise the city of Hartwell in Hart County, were also named in her honor. Many of her descendants reside in Georgia, and treasure with pardonable pride her virtues, and fondly relate the traditions of her great name.

In Historical Collections of Georgia by the Rev. George White, M. A., 1855, he says:

One among the most remarkable women that any country has ever produced resided in Elbert.

The clouds of war gathered, and burst with a dreadful explosion in this State. Nancy's spirit rose with the tempest. She declared and proved herself a friend to her country, ready "to do or die."

On one occasion, when information as to what was transpiring on the Carolina side of the river was anxiously desired by the troops on the Georgia side, no one could be induced to cross the river to obtain it. Nancy promptly offered to discharge the perilous duty. Alone, the dauntless heroine made her way to the Savannah River; but finding no mode of transport across, she procured a few logs, and, tying them together with a grapevine, constructed a raft, upon which she crossed, obtained the desired intelligence, returned, and communicated it to the Georgia troops.

Once more, when Augusta was in possession of the British, the American troops in Wilkes, then under the command of Col. Elijah Clarke, were very anxious to know something of the intentions of the British. Nancy assumed the garments of a man, pushed on to Augusta, went boldly into the British camp, pretending to be crazy, and by this means was enabled to obtain much useful information, which she hastened to lay before the commander, Colonel Clarke.

In the story of Georgia and Georgia people by George Gillman Smith, D. D., 1900, he says:

In her old age the governor says she became a shouting Methodist and was recognized by all as a good woman. She married an uncle of Thomas Hart Benton, the famous Senator, and the sterling old statesman was always proud of his connection with her. It is certain she was a woman of substance and family and integrity, and her family was among the best.

THE REVENUE BILL

Mr. HAWLEY. Mr. Speaker, in connection with the filing of the conference report on the revenue bill H. R. 1, I ask unanimous consent that the conferees be given until midnight in which to file a statement.

The SPEAKER. The gentleman from Oregon asks unanimous consent that the conferees on the part of the House on the bill H. R. 1 be given until midnight to file a statement. Is there objection?

There was no objection.

LEAVE TO PRINT

Mr. SUTHERLAND. Mr. Speaker, I ask unanimous consent for 10 days after adjournment in which to extend my remarks in the RECORD. Or I will modify that request and ask that I be given until the last issue of the RECORD.

The SPEAKER. The gentleman from Alaska asks unanimous consent to extend in the RECORD his remarks, extending until the last issue of the RECORD. Is there objection?

There was no objection.

BRIDGE ACROSS THE OHIO RIVER NEAR RIPLEY, OHIO

Mr. DENISON. Mr. Speaker, by authority of the Commirtee on Interstate and Foreign Commerce I ask unanimous consent to take from the Speaker's table the bill (S. 4450) authorizing the Ripley Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ripley, Ohio, and ask for its consideration.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Senate bill was read.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

A motion to reconsider the last vote was laid on the table.

The similar House bill, H. R. 13591, was laid on the table.

BRIDGE ACROSS THE SANTA ROSA SOUND IN FLORIDA

Mr. DENISON. Mr. Speaker, by the same authority I call up the bill (S. 4456) granting the consent of Congress to the boards of county commissioners of the counties of Escambia and Santa Rosa, in the State of Florida, to construct, maintain, and operate a free bridge across the Santa Rosa Sound in the State of Florida, and ask for its consideration.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Senate bill was read.

The SPEAKER. The question is on the third reading of the bill.

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

A motion to reconsider the last vote was laid on the table.

A similar House bill, H. R. 13177, was laid on the table.

BRIDGE ACROSS PERDIDO BAY, FLORIDA AND ALABAMA

Mr. DENISON. Mr. Speaker, I also call up Senate bill 4457, authorizing the Northwest Florida Corporation, its successors and assigns, to construct, maintain, and operate a bridge across Perdido Bay, at or near Innerarity Point in Escambia County, Fla., to the mainland of Baldwin County, Ala., and ask for its consideration.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Senate bill was read.

The SPEAKER. The question is on the third reading of the bill.

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

A motion to reconsider the last vote was laid on the table.

A similar House bill was laid on the table.

BRIDGE ACROSS THE SAVANNAH RIVER

Mr. DENISON. Mr. Speaker, by authority of the Committee on Interstate and Foreign Commerce, I call up Senate bill 4474, authorizing the South Carolina and the Georgia State Highway Departments to construct, maintain, and operate a toll bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.

The SPEAKER. The gentleman from Illinois calls up a Senate bill which the Clerk will report.

The Clerk read the bill.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill (H. R. 13267) was laid on the table.

BRIDGE ACROSS WHITE RIVER

Mr. DENISON. Mr. Speaker, I call up Senate bill 4504, granting the consent of Congress to the State of Arkansas, through its State highway department, to construct, maintain, and operate a toll bridge across White River at or near Augusta, Ark., and ask for its immediate consideration, a similar bill having been reported and being on the calendar.

The SPEAKER. The gentleman from Illinois calls up a bill, which the Clerk will report.

The Clerk read the bill.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill (H. R. 13689) was laid on the table.

BRIDGE ACROSS THE RIO GRANDE

Mr. DENISON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table H. R. 12877, authorizing the Los Olmos International Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Rio Grande at or near Weslaco, Tex., and agree to the Senate amendment, the amendment being merely a correction of the date of an act of Congress.

The SPEAKER. The gentleman from Illinois asks unanimous consent to take from the Speaker's table House bill 12877, with a Senate amendment, and agree to the Senate amendment. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the bill and the Senate amendment.

The Clerk read the title of the bill.

The Clerk read the Senate amendment.

The Senate amendment was agreed to.

JENNIE K. HUNT

Mr. MACGREGOR. Mr. Speaker, I present a privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 183

Resolved, That there shall be paid out of the contingent fund of the House to Jennie K. Hunt, clerk to the late Hon. A. E. B. Stephens, of Ohio, an amount equal to one month's salary.

With the following committee amendment:

Strike out, in lines 3 and 4, the words "an amount equal to one month's salary" and insert in lieu thereof "$150 for services subsequent to his death."

The committee amendment was agreed to.

The resolution was agreed to.

KATE GILBERT

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents a resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 220

Resolved, That the Clerk of the House is authorized to pay, out of the contingent fund of the House, a sum not exceeding $500 to Kate Gilbert to reimburse her for expenses incident to the last illness and funeral of William R. Palmer, late an employee of the House of Representatives on the soldiers' roll.

The resolution was agreed to.

NORA B. BEATTIE

Mr. MACGREGOR. Mr. Speaker, I present another privileged resolution from the Committee on Accounts.

The SPEAKER. The gentleman from New York presents a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 210

Resolved, That there shall be paid out of the contingent fund of the House, to Nora B. Beattie, widow of David Beattie, late an employee of the House, a sum equal to six months' salary and an additional sum of $250 to cover the funeral expenses and the expenses of his last illness.

The resolution was agreed to.

EXTRA SERVICES IN ENROLLING ROOM

Mr. MACGREGOR. Mr. Speaker, I ask unanimous consent for the present consideration of a resolution which I have sent to the Clerk's desk.

The SPEAKER. The gentleman from New York asks unanimous consent for the present consideration of a resolution which the Clerk will report.

The Clerk read as follows:

House Resolution 224

Resolved, That there shall be paid out of the contingent fund of the House during the remainder of the session not exceeding $100 for additional clerical services in the Enrolling Room.

The SPEAKER. Is there objection?

Mr. GARNER of Texas. Mr. Speaker, reserving the right to object, has this resolution been considered by the full committee?

Mr. MACGREGOR. It has not, but it is the usual resolution passed at the end of a session and the resolution simply provides $100 for extra services.

Mr. GARNER of Texas. It is satisfactory to the entire subcommittee that considered it?

Mr. MACGREGOR. It is asked for by the Clerk of the House.

Mr. GARNER of Texas. Has the gentleman consulted any Democrat on his committee about this resolution?

Mr. MACGREGOR. I confess I have not, because it is the usual resolution passed at the end of a session for extra services in the enrolling room to take care of the mass of work which comes in at the close of a session. The Clerk of the House handed it to me and asked me to take care of it.

The SPEAKER. Is there objection?

There was no objection.

The resolution was agreed to.

DISABLED EMERGENCY OFFICERS' BILL

Mr. SIMMONS. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the subject of the Emergency Officers' retirement bill.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SIMMONS. Mr. Speaker, pursuant to permission granted me by the House to extend my remarks on the disabled emergency officers' bill, I offer the following for printing in the CONGRESSIONAL RECORD:

On May 11 the disabled emergency officers' bill passed the House and went to the President.

On May 12 the vice chairman of the national legislative committee of the American Legion issued a bulletin on the bill and sent it throughout the United States.

The American Legion officials to whom this and other bulletins were sent are entitled to know the truth. These bulletins contain a number of inaccurate and misleading statements that ought not to go unchallenged, although time will not permit the discussion of all of them with their unjust and untrue inferences. The CONGRESSIONAL RECORD, giving the debates fully, answers the personal charges against those of us who opposed this measure. We are content to leave that record as our answer. But leaving out the personal charges, let us consider facts.

This statement is made:

> Not a former World War enlisted man in the Congress worked or spoke against the bill.

Surely he who wrote this bulletin knew that the gentleman from Mississippi [Mr. RANKIN] controlled the time against the bill and that he "worked and spoke against" it. Surely he also knew that Mr. RANKIN's service during the World War was as an enlisted man. Surely he knew that the gentleman from South Dakota [Mr. JOHNSON], the gentleman from Missouri [Mr. MILLIGAN], the gentleman from Michigan [Mr. VINCENT], and myself all served as enlisted men before becoming commissioned officers. Then, why this obvious misstatement of fact?

Again the statement is made:

> The following veterans spoke abainst the bill:
> ROBERT G. SIMMONS, of Nebraska;
> BIRD J. VINCENT, of Michigan;
> JACOB L. MILLIGAN, of Missouri; and
> JOHN E. RANKIN, of Mississippi.

That statement is true. But why did they leave out of that list the gentleman from South Dakota [ROYAL JOHNSON]? True, they mention later on that he offered a substitute for the bill. They do not carry him in the list of those for the bill nor in the list of those against it. Neither do they quote his statement about this bill on the floor of the House that—

> I do not believe we could justify the law without amending it to cure the objections to which I have referred.

All of us who favored amendments were branded as enemies of the bill. The gentleman from Ohio [Mr. FITZGERALD], proponent of the bill, stated that he would "resist every amendment" and that there "is not any merit" in any of them. ROYAL JOHNSON, wearer of the croix de guerre and the distinguished-service cross, disabled emergency officer, member of the American Legion, chairman of the Veterans' Committee of the House—why was he not placed among the list of those veterans who opposed the bill? Was it because they dislike to acknowledge to the service men of the Nation that ROYAL JOHNSON, outstanding veteran of the House, refused to support this bill? There seems no other answer.

Then again, there is this statement:

> In addition to these veterans, the following nonveterans spoke against it:
> FINIS J. GARRETT, of Tennessee, minority leader;
> JOHN Q. TILSON, of Connecticut; majority leader;
> W. FRANK JAMES, of Michigan;
> GEORGE HUDDLESTON, of Alabama;
> OLGER B. BURTNESS, of North Dakota; and
> CHARLES C. KEARNS, of Ohio.

True it is, that these men all spoke against the bill, but why should Mr. TILSON, Mr. JAMES, and Mr. HUDDLESTON be classed as "nonveterans"? The membership of the House knows, and surely he who wrote this bulletin knew, that all three of those men have served America in time of war as soldiers. Mr. TILSON was a second lieutenant, Sixth United States Infantry, during the Spanish-American War. He was a lieutenant colonel Second Connecticut Infantry and served on the Mexican border during that trouble. He holds now a commission as colonel, Ordnance Department Reserve.

Mr. JAMES served as a private, Company F, Thirty-fourth Michigan Infantry, during the Spanish-American War.

Mr. HUDDLESTON served as a private in Company K, First Alabama Infantry, during the Spanish-American War.

Likewise, speaking against the bill and not mentioned at all in this bulletin, was the gentleman from New York [Mr. GRIFFIN]. He served as captain of Company F, Sixty-ninth Infantry, New York Volunteers, during the Spanish-American War and has had National Guard service both before and since. Also opposed to this bill was the gentleman from Michigan [Mr. MICHENER], who served throughout the Spanish-American War with Company B, Thirty-first Michigan Volunteer Infantry. Why should the service of these men who fought for America in the war with Spain be ignored and why should they be either entirely omitted or classed as nonveterans in the discussion of this bill? Is the American Legion now to ignore the service of those who fought in the war with Spain as they ignore and discriminate against their officers in this bill?

When I spoke to the House on May 10 I quoted from a number of bulletins sent out by the national legislative committee of the American Legion on this bill. Across the top of each of the bulletins on the first page in large letters is printed these words, "Give this wide publicity." Surely the proponents of this measure should not criticize my using their publicity in the debate here, and yet the inference is left again that giving "publicity" in the Congress is not the sort of "wide publicity" that the author of these bulletins desired or intended.

The bulletin stated that the President had until May 24 to approve or veto the bill and that—

> a Legion delegation will call upon him and urge his approval of the measure.

That they had a perfect right to do, and did do, and no one criticized them for it.

The bulletin continued:

> The opponents have announced their intention to work for a presidential veto. They can not endure a defeat in the open.

If it is proper, and I grant you that it is, that the proponents of this measure urge its approval by the President, wherein was it wrong for those of us who opposed it to urge its veto?

In the bulletin of the national legislative committee of the American Legion for May 5, 1928, the statement is made:

> There are 53 legionnaires in the House and only 3 of them are actively working against the bill, while 3 more will probably vote against it. So, on this basis, the legionnaires in the House are about 10 to 1 for the bill.

What was the fact about the vote? Forty-five World War veterans of the House voted on the question as to whether or not the bill should pass over the President's veto. On that vote, which was the only record vote, 27 voted for the bill, 18 were against it—exactly 3 to 2 and not 10 to 1 as the Legion had been told. Here let it be noted that had the nonveteran voted as did the veteran in the House, the bill would not have passed over the President's veto. Who were the 18 World War men who voted against the bill?

Mr. GIBSON, of Vermont, who served as captain of Infantry in the American Expeditionary Force, is, at present, colonel in the Vermont National Guard and has been commander of his home post of the American Legion. Much has been said about a subcommittee report in 1924 for this bill that I signed. Colonel Gibson also signed that report and by voting "no," three of the four Members who in 1924 signed the report for the bill were finally recorded against it.

Mr. JONES, of Texas, who served as an enlisted man in the Tank Corps.

Mr. VINCENT, of Michigan, served as first lieutenant of Infantry, Sixth Division.

Mr. WAINWRIGHT, of New York, lieutenant colonel, division inspector, Twenty-seventh Division; Assistant Secretary of War, 1921–1923.

Mr. SPEAKS, of Ohio, enlisted man, National Guard, in 1878; major in Spanish-American War; colonel, Ohio National Guard; brigadier general, Mexican border and World War, Thirty-seventh Division.

Mr. CHASE, of Pennsylvania, enlisted man, Air Service, sergeant major, Third A. I. C.; former post commander and department commander, American Legion, in Pennsylvania, 1925.

Mr. JOHNSON, of South Dakota, whose splendid record I have already given.

Mr. RANKIN, of Mississippi, who served as a private, Field Artillery.

Mr. MILLIGAN, of Missouri, captain, Infantry; member of the Paris caucus from which came the American Legion. He also signed the subcommittee report for the bill in 1924.

Mr. WATRES, of Pennsylvania, major of Infantry, Twenty-eighth Division.

Mr. WOODRUFF, of Michigan, enlisted man, Thirty-third Michigan Infantry, Spanish-American War; major, Infantry, World War, Eighty-sixth Division. He, with ROYAL JOHNSON, started the investigation of the war frauds. Mr. WOODRUFF, while not actually voting, stated to the House that he would have voted "no" had he been present.

Mr. HILL, of Alabama, first lieutenant of Infantry, Seventeenth and Seventy-first Infantry, Eleventh Division. Former post commander of American Legion.

Mr. UPDIKE, of Indiana, private, Sixth Regiment, United States Marines, wounded five times.

Mr. THURSTON, of Iowa, veteran of the Spanish-American War, Philippine insurrection, and World War.

Mr. FROTHINGHAM, of Massachusetts, major, The Adjutant General's Department, former commander home post of American

Legion; committee chairman at St. Louis caucus, American Legion; speaker of the house and Lieutenant Governor of Massachusetts.

Mr. ANDREW, of Massachusetts, French ambulance service, 1915–1917; major and lieutenant colonel, ambulance service, American Expeditionary Forces, 1917–1919; first vice commander American Legion in Massachusetts and former commander home post of the American Legion.

Mr. BACON, of New York, Plattsburg Training Camp; Mexican border; major, Field Artillery, World War, now a colonel (reserve), Field Artillery. Has the distinguished-service medal. I was in the balloon division of the Air Service.

Of the World War Veterans' Legislation Committee voting, 8 were against and 9 for the bill. Of the veterans on that committee who voted, 5 were against the bill, 4 for it.

Of the Spanish-American War veterans of the House, 11 were against the bill and 5 for it.

Those voting for were Mr. CRAIL, of California; Mr. MOORMAN, of Kentucky; Mr. SELVIG, of Minnesota, Mr. DYER, of Missouri; and Mr. LEAVITT, of Montana. Those voting "no" were Mr. HUDDLESTON, of Alabama; Mr. FREEMAN and Mr. TILSON, of Connecticut; Mr. THURSTON, of Iowa; Mr. MICHENER and Mr. JAMES, of Michigan; Mr. WAINWRIGHT, of New York; Mr. SPEAKS, of Ohio; and Mr. HULL of Tennessee. Mr. GRIFFIN, of New York, spoke against the bill, but was absent on this vote. Mr. WOODRUFF, of Michigan, while not voting, stated he would have voted "no" had be been present.

The bill is now a law. This résumé of the vote is to enable those who care to know the facts to have them easily accessible. The list of veterans used here is believed accurate. The Spanish-American list was furnished by the Veterans' Committee of the House. The World War list is furnished by the American Legion.

VOCATIONAL REHABILITATION OF DISABLED RESIDENTS OF THE DISTRICT OF COLUMBIA

Mr. SUMMERS of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of H. R. 13251, a bill to provide for the vocational rehabilitation of disabled residents of the District of Columbia, and for other purposes, with an amendment. This bill has been unanimously reported by the committee and is on the calendar.

The SPEAKER. The gentleman from Washington asks unanimous consent for the present consideration in the House as in Committee of the Whole of a bill which the Clerk will report.

Mr. SNELL. Mr. Speaker, is this a unanimous consent request?

The SPEAKER. It is.

Mr. SNELL. Mr. Speaker, perhaps we had better have a short statement from the gentleman from Washington.

The SPEAKER. The Chair has directed the reading of the bill so the House may be informed.

The Clerk read the bill, as follows:

Be it enacted, etc., That on and after July 1, 1928, the Federal Board for Vocational Education is authorized and directed to provide for the vocational rehabilitation and return to employment of any disabled resident of the District of Columbia.

SEC. 2. For the purposes of this act (1) the term "disabled resident of the District of Columbia" means any bona fide resident in the District of Columbia who, by reason of a physical defect or infirmity, whether congenital or acquired by accident, injury, or disease, is or may be expected to become totally or partially incapacitated for remunerative occupation; and (2) the term "vocation rehabilitation" means the rendering of any such disabled resident fit to engage in a remunerative occupation.

SEC. 3. (a) The United States Public Health Service is authorized and directed to cooperate with the Federal Board for Vocational Education in carrying out the provisions of this act, and the board may, in carrying out such provisions, obtain the cooperation of (1) any other establishment in the executive branch of the Government; (2) any department or agency of the government of the District of Columbia; (3) any State, Territory, or political subdivision thereof; or (4) any private agency or person.

(b) The Federal Board for Vocational Education and the United States Employees' Compensation Commission are authorized and directed to formulate a plan of cooperation for the vocational rehabilitation of civil employees of the United States disabled while in the performance of duty and who reside in the District of Columbia, and such board may, in carrying out the provisions of this act, in so far as it applies to such civil employees, carry out such plan.

SEC. 4. The board is authorized to prescribe such rules and regulations as may be necessary or appropriate to carry out the provisions of this act.

SEC. 5. The Federal Board for Vocational Education is authorized to make such expenditures (including expenditures for personal services at the seat of Government and elsewhere, for printing and binding, for traveling and subsistence expenses, for the payment of tuition to schools, for the compensation of tutors, for the purchase of prosthetic appliances and instructional supplies and equipment, and for the payment of necessary expenses of persons undergoing vocational rehabilitation) as may be necessary to carry out the provisions of this act.

SEC. 6. For the purpose of carrying out the provisions of this act there is authorized to be appropriated to the Federal Board for Vocational Education a sum not to exceed $20,000 for each fiscal year; except that for the fiscal year ending June 30, 1929, there is authorized to be appropriated the sum of $16,000, of which not more than $8,000 shall be expended for salaries.

SEC. 7. The board shall submit to Congress on or before the first day of each regular session a report of all rehabilitation service provided and of all expenditures made under this act during the preceding fiscal year.

With the following committee amendment:

On page 3, in line 14, strike out "$20,000" and insert "$15,000."
In line 16, strike out "$16,000" and insert "$12,000."
In line 17, strike out "$8,000" and insert "$6,000."

Mr. SNELL. Mr. Speaker, I think the gentleman from Washington [Mr. SUMMERS] should make a statement about this before the unanimous-consent stage has been passed. I would like to know if this goes any further than what we are already doing in the States at the present time, and also what the provision is about the District paying its normal share of 50 per cent, the same as is done by the States.

Mr. SUMMERS of Washington. I will say that this bill is meant to parallel the Federal act which we passed in 1920 and which is now cooperating in 41 States. I trust the seven other States will be cooperating soon. The bill as written did not provide for cooperation financially by the District of Columbia, but I am submitting an amendment putting it on exactly the same basis as that enjoyed by the States; that is, a 50-50 basis.

I would like to say that during the seven or eight years that this work has been done over the country there have been some thousands of rehabilitated cripples, that have cost on the average $255 for taking them off of the street corner selling shoestrings and putting them into gainful employment. In Buffalo, N. Y., for instance, out of 369 cases 52 per cent of them are earning as much or more money after rehabilitation as they did before. There is a great saving to the community beside the humanitarian element, that, of course, is the most appealing.

Mr. SNELL. As I understand it, then, it simply puts the District in exactly the same position as the States that are taking advantage of this legislation and nothing more?

Mr. SUMMERS of Washington. That is correct.

The SPEAKER. Is there objection?

Mr. COLLINS. I object.

Mr. SUMMERS of Washington. Will the gentleman withhold his objection?

Mr. COLLINS. Yes; I will withhold it.

Mr. SUMMERS of Washington. May I call attention to the fact that Mississippi is doing exactly this work, and one of the best reports that comes in is from the State of Mississippi? It is quoted in the hearings. This is merely to take the man who is a hopeless cripple and instead of putting him on charity or in an almshouse give him an opportunity to earn a living for himself and family. There are 277 of such cases in the District of Columbia, with 686 dependents. Surely the gentleman will not object to our doing this work, which is being done in 41 States by the same cooperation with the Federal Government, and which has made such a wonderful showing.

Mr. CRAMTON. Will the gentleman yield?

Mr. SUMMERS of Washington. Yes.

Mr. CRAMTON. I wonder if the gentleman from Mississippi is aware of the amendment which the gentleman from Washington is to offer, which requires the same cooperation financially by the District as the States have to give.

Mr. COLLINS. I have that in mind, and I also have in mind the fact that the Federal Government contributes $9,000,000 to the support of the District.

Mr. SUMMERS of Washington. It will not contribute any more with this bill enacted into law, I want to say to the gentleman; and besides, a large number of these people are not taxpayers in the District but Federal employees who come from my State and yours, and so on, all over the country.

Mr. CRAMTON. This contribution is just what we are making now to Michigan and Mississippi. We are making this contribution now to Michigan and Mississippi and other States.

Mr. LOWREY. Will the gentleman yield to me if he has the floor?

Mr. SUMMERS of Washington. Yes; I yield.

Mr. LOWREY. I want to say, as the ranking minority member of the committee that is reporting this bill, we studied it very carefully. It is not adding practically anything to the amount we give the District, and I do not think we have reported out any bill that was backed by better authority or more justifiable or one that would cause more sadness if the bill was killed.

Mr. COLLINS. Mr. Speaker, I withdraw my objection.

Mr. SUMMERS of Washington. I thank the gentleman from Mississippi. That rehabilitation is more permanently beneficial for the individual, for the family, and for the community at large than is relief, is an accepted fact.

Dr. Richard Cabot says in The Social Workers' Goal:

> We have begun to recognize that the "unemployed" as they march in procession may represent a considerable percentage of the "unemployable or of the professionally unemployed," while many others just as badly off but less vocal escape our notice.
>
> So with the physically handicapped. Unless we make a house-to-house canvass, as was done in the Cleveland survey, the group that presents themselves at an agency organized to help may represent the more vocal plagent fraction and often those hardest to help, not the whole number nor those most capable of being aided.
>
> * * * * * * *
>
> And so we write rash volumes about the criminal or the unchaste woman, forgetting that our knowledge is based only on the certainly small and probably unrepresentative fraction who get caught because they have not the skill nor luck to escape detection.

ONE HUNDRED AND TWELVE THOUSAND INJURED ANNUALLY

The law we passed in 1920 covers all injured persons, whether on the farm or in the cities, but does not apply to the District of Columbia; but after listening to reports of the Rehabilitation Board in my subcommittee on independent offices of the Appropriations Committee and learning of the wonderful work that was being accomplished, it appeared to me that the same benefits ought to be brought to the disabled in the District of Columbia. So this bill was introduced. It is appalling, the number of accidents that are occurring over the country—1 death from accident every six minutes in the United States; 63 deaths from industrial accidents per 105,000 persons permanently disabled by industrial accidents annually, with a grand total of about 112,000 permanently disabled from industrial accidents and public accidents combined in the country. Not all of these require the assistance of the Federal or State governments or the public in rehabilitating them and taking care of them, but it is estimated that about 50,000 of them do require such assistance.

I think I can not give you a better idea of the effectiveness of the work that is being done than to tell you something about what an investigation of the results of the past five or six years shows. I am going to quote to you from the report from Buffalo, N. Y. From 1921 to 1925 there were 369 rehabilitants in the district of Buffalo, N. Y., of whom 146, or 40 per cent, are now working on an increased wage and 46, or 13 per cent, are working at the same wage as before the accident, while 32, or 9 per cent, are now working at a decreased wage and 46, or 12 per cent, are out of the district, probably employed; 8, or 2 per cent, are out of the district, probably not employed; 18, or 5 per cent, are convalescing; 15, or 4 per cent, are dead; 12, or 3 per cent, are not employed; and 46, or 12 per cent, not found, making a total of 369.

Here is an interesting statement. The average weekly wage at the time of disablement of the persons rehabilitated in 1924 was $23.20, whereas after rehabilitation their wage was $25.28 per week. Of the group rehabilitated, 87 per cent had no earning power during the period of disablement, while 6 per cent had never worked prior to rehabilitation. Again, after rehabilitation the average weekly wage of the group that had never worked until rehabilitated was $19.30.

There is an equally favorable showing made by Mississippi, Montana, Michigan, and different parts of the country. There are 41 States of the Union cooperating with the Federal Government in this work. Here is an interesting table from Wisconsin for the five-year period from 1921 to 1926, showing the total number of disabled persons rehabilitated, 1,036; total gross annual earnings after rehabilitation, $499,208.09. The total gross annual earnings after rehabilitation, $1,159,948.18; the per capita annual earnings before rehabilitation, $481.85, and the per capita annual earnings after rehabilitation, $1,119.64. The percentage of increase of earnings was 232 per cent over the amount that they were receiving before their injuries. The per capita cost of rehabilitation was $242.37. The per capita cost in all of the States where work is done over the country is $255 for rehabilitating a single case, which is less than the cost of maintaining an individual in the poorhouse or almshouse for one year. Rehabilitating them is a single-year cost, whereas the maintenance cost would extend for a lifetime of probably 20 to 40 years. We may, therefore, reasonably conclude that the total cost of rehabilitation is from 2½ to 5 per cent of the total cost of maintenance.

MISSISSIPPI SHOWS BRILLIANT RESULTS

Since the beginning of rehabilitation work in Mississippi 914 crippled persons who were totally or partially dependent for support on relatives, friends, or the community, are now happy, self-sustaining, productive citizens because of rehabilitation service.

During the first year after training these disabled persons earned more than seven times the amount appropriated by the State for their training.

The crippled persons trained in Mississippi are engaged in 81 different kinds of employment.

The average length of training period for men was five months, for women seven months.

The average cost per case for men was $131.92, for women $123.94.

In many cases the disabled person earns in one month more than it has cost the State and Federal Governments to train him.

Among the cases given hospital treatment were 15 young men and women who had never walked but had to crawl. All are now able to stand erect and walk with crutches.

Six hundred and fifteen disabled persons, at the present time, are applicants for aid.

A SUCCESS IN MONTANA

In most instances applicants for training are unemployed and have no income. All of the bureau's beneficiaries rehabilitated the past year were in that plight. Following a period of training their average wage or salary is now $95 a month. Most of them have expectations of making much more than this within a short time. Among our successful trainees is a young married man afflicted with paralysis, who was taught linotype operation. He was married, quite helpless, and without funds. Now he receives $155 a month as operator on a weekly newspaper. Another man, similarly afflicted and with a large family to support, was given instruction in shoe repairing. To-day he operates his own shop and earns a good living for himself and his dependents.

SHAVES WITHOUT HANDS

Let me give you the details of one pupil as related to my committee by Mr. Cummings, of the Federal Vocational Board. This man was in a poorhouse when the rehabilitation division contacted him. He had lost both hands between the wrist and elbow in trying to hop a freight train. The county commissioners did not know what to do with him, so they put him in the poorhouse. The rehabilitation division talked to the man and found that, although illiterate, he was intelligent and was interested in raising chickens.

The authority was granted by the commissioners for the rehabilitation division to take him out and train him. We equipped him with two Dorrance hooks. That is an apparatus with straps over the shoulders, and by moving the shoulders the man performs the different operations. It is an uncanny arrangement. He was equipped with those, put on a poultry farm, and taught the poultry business by being on the job. He was uneducated; he could not go to school. He learned it by actual employment and training on the job. When I saw him some two years ago he was in charge of a flock of 5,000 white leghorn hens at the State tuberculosis sanatorium. He lived in a little bungalow on the grounds, and that morning he shaved himself with a safety razor and used his knife and fork at the table just about as well as I use them. He is making now $200 a year. The State of Montana is paying him $200 a year and giving him a home to live in, whereas before it was costing the State of Montana $40 a month to keep him in the poorhouse. He is now about 27 years old, so that at $40 a month for 30 years he probably would have cost them close to $15,000.

So something may be done for a man even though he is seriously disabled.

This is the humanitarian economic work we want to do in the District of Columbia.

The SPEAKER. Is there objection to the request of the gentleman from Washington [Mr. SUMMERS]?

There was no objection.

The committee amendments were agreed to.

Mr. SUMMERS of Washington. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington: On page 3, at the end of line 17, strike out the period, insert a colon, and add the following: "*Provided*, That no such appropriations of Federal funds shall be available for expenditure except when matched by equal appropriations of District of Columbia funds which are hereby authorized."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

INTERPARLIAMENTARY UNION

Mr. BURTON. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (H. R. 13930) to authorize an appropriation for the American group of the Interparliamentary Union.

The SPEAKER. The gentleman from Ohio asks unanimous consent for the present consideration of the bill which the Clerk will report.

The Clerk read the bill as follows:

Be it enacted, etc., That in order to assist in meeting the annual expenses of the American group of the Interparliamentary Union for the fiscal year beginning July 1, 1928, there is hereby authorized to be appropriated the sum of $10,000, or so much thereof as may be necessary, such appropriation to be disbursed on vouchers to be approved by the president and the executive secretary of the American group.

The SPEAKER. Is there objection?

Mr. GARNER of Texas. Reserving the right to object, I would like to ask the gentleman from Ohio if this is a unanimous report from the Committee on Foreign Affairs?

Mr. BURTON. It is.

There was no objection.

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

On motion of Mr. BURTON a motion to reconsider the vote was laid on the table.

NIGHT DIFFERENTIAL PAY BILL

Mr. RATHBONE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the post office night differential bill.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. RATHBONE. Mr. Speaker, it is with regret that I feel constrained to vote to override the presidential veto of the measure before us, known as the night differential bill. I am not convinced by the reasons advanced by the Chief Executive and feel it my duty to vote according to my own convictions, which are that this is a highly just and salutary measure and ought to be enacted into law.

For years I have believed in and championed the principle of this bill and I can not repudiate it now merely because the President's views and my own differ.

Every day of the year there is an average of over 70,000,000 pieces of mail deposited in the post offices of the United States. The slogan of the Postal Service is "Keep the mails moving," and from the time a letter, parcel, or newspaper is deposited in the mail box until it is delivered to the addressee, it is the aim and the practice of the postal employees to keep that mail continually moving toward its destination.

Because over 75 per cent of all mail is deposited after 4 o'clock in the afternoon, post-office clerks are required to work far into the night in order that every piece may be properly routed and dispatched on the first train, boat, or airplane, that will take it to its destination.

These men who perform this night work are the expert distributors, who must have a thorough practical working knowledge of intricate schemes of distribution involving a mass of train schedules, types of services on different trains, and the connecting or junction points of intersecting lines. They are required to know these facts instantly in reference to anywhere from 3,000 to 10,000 post offices. To acquire this knowledge and to keep it current with the continual changes they must put in many hours of study and practice upon their own time.

They are examined at least once yearly upon their knowledge of these schemes and must attain a proficiency of at least 95 or 98 per cent correctness. Upon their proficiency in these examinations as well as upon their daily work depend their chances for promotion in the automatic salary grades or their retention in the grade to which they have attained.

In many of the larger offices also they work under a system by which a record is kept of the weight of the mail which each clerk handles, and every clerk whose record is below the average for his crew, is admonished and speeded up, which automatically increases the average, thus compelling these men into a ceaseless competition that taxes not only their physical strength but places an unwarranted mental and nervous strain upon them.

In spite of the known extra fatigue occasioned by night work and the highly exacting nature of the work, and also in spite of the time and study that must be devoted to distribution schemes outside of working hours, these men receive no extra compensation or consideration for the disadvantages and discomforts of night work, but must work a minimum of eight hours nightly.

Postal Service is a 24-hour service, and its regularity and celerity are essential to our modern social, civic, commercial, and industrial world. There must, therefore, always be night work in the Postal Service. That it can be materially reduced there is no doubt, but it can not be eliminated. It should be reduced to the absolute minimum. When that is done, those men who are still compelled to work unnatural hours should receive consideration for the extra fatigue, for being deprived of participation in the normal social and civic activities of their communities.

Private industry recognizes the hardships of night work, and almost invariably makes compensation for it in increased wages or shorter hours or both. The Government itself, in the Government Printing Office and in the navy yards and arsenals, pays a higher rate for night work than for day work. During the war, the War Labor Board, a Government agency, in its awards took cognizance of the hardship of night work and invariably granted a differential in favor of the night worker.

Night work should, in my judgment, receive a greater compensation than that given to work by day because it involves a greater strain in all ways upon the employee. It involves a loss of sleep and work during hours when sleep is most beneficial and natural. Workers employed at night are invariably deprived of sunlight, one of the essentials of health. The danger of eye strain from close application to work is intensified at night by insufficient and improper lighting of work rooms or by the glare of excessive or unshaded light, which may be as injurious to the eyes as insufficient illumination. Night work and late overtime hours prevent the workers from taking advantage of most of the educational opportunities offered by enlightened communities. For these and other reasons night work is and should be almost universally regarded as far more irksome, undesirable, and unwholesome than day work.

In 1922 Postmaster General Work, and in 1924 Postmaster General New called attention to the need for legislation which would tend to equalize day and night work by providing for a higher rate of pay for the latter.

Postal employees are human beings with the same desires for normal, social, and fraternal activities and with the same love for their families and yearning for their companionship as other American citizens. But because they are engaged in this great and highly essential public service to which they have dedicated their lives, they must forego, for many years, the normal companionship of their children, and any participation in the social, fraternal, or civic activities of their respective communities.

The Government should be a model employer and should insist upon American standards of employment in its service.

I shall, therefore, cast my vote for this bill, the objections of the President to the contrary notwithstanding. I believe that the enactment of this measure will be acclaimed as an act of justice and humanity by the American people.

FOUR YEARS OF RESTRICTED IMMIGRATION

Mr. HOLADAY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on immigration and deportation.

The SPEAKER. Is there objection to the request of the gentleman from Illinois?

There was no objection.

Mr. HOLADAY. Mr. Speaker, on the 28th of February, 1924, in urging the passage of a restrictive immigration law, I said:

OUR DUTY TO AMERICA

It is our duty to allay and prevent race prejudice and to offer every opportunity and facility for our foreign born to fall into step with America. No greater service can be performed for our foreign born than to restrict immigration for the next few years, and thus give those that are now here a better opportunity to become assimilated.

This is the opportunity for Congress to preserve America and her uplifting influences, not only for the benefit of America but for the benefit of the entire world.

On May 26, 1924, a Republican Congress passed and a Republican President signed America's first permanent "restrictive immigration law." This act became effective July 1, 1924, and is known as the "Immigration Act of 1924." Three years and

eleven months have elapsed, a sufficient length of time to permit of a fair estimate of the effect of this law.

For a hundred years prior to July 1, 1924, immigrants in an ever-increasing stream had poured into America. The numbers by 10-year periods are as follows:

1821–1830	143,439
1831–1840	599,125
1841–1850	1,653,275
1851–1860	2,571,036
1861–1870	2,377,279
1871–1880	2,812,191
1881–1890	5,246,613
1891–1900	3,687,564
1901–1910	8,795,386
1911–1920	5,735,811
1921–1924	2,344,599
1925	294,314
1926	304,488
1927	335,175
1928 (estimated)	320,000
Total	37,220,295

The figures for the first 11 months of the current fiscal year ending June 30, 1928, indicate that immigration for 1928 will fall slightly below the immigration of 1927.

An analysis of the 335,175 immigrant aliens admitted to the United States during 1927 is interesting.

They came from—

Europe	168,368
Canada and Newfoundland	84,580
Mexico	67,721
Others, total	14,506
Total	335,175

	Admitted	Departed
21 years and under	129,325	6,286
22–44 years	176,938	50,917
Over 45 years	28,912	16,163
Total	335,175	73,366

The net immigration gain in foreign-born population for 1924, the last year preceding the enactment of the 1924 immigration law, was 630,107, while for the following three years under the operation of the law the average net gain in foreign-born population has been 230,284. If we take into account the average death rate and the number deported we find that the net gain in foreign-born population is about 100,000 annually instead of 1,000,000 annually, as it was in 1913 and 1914.

The "1924 immigration law" does not apply the quota to the countries of the Western Hemisphere.

It may be noted that of the 335,171 immigrant aliens entering the United States in 1927, approximately 85,000 came from Canada and 67,000 from Mexico.

Immigration from Canada presents no difficult problems, but the character of the immigrants entering from Mexico presents a problem, the successful solution of which may perhaps be effected only by extending the provision of the quota law to Mexico.

The struggle for self-preservation is not, as many appear to believe, confined to aliens seeking to enter the country, nor to aliens who, having gained lodgment by unfair means, resist all efforts to dislodge them, but is shared by Americans and aliens alike who have a right to be and remain here in unimpaired enjoyment of the blessings which this country has to offer. Were we indefinitely and without limitation or discrimination to share these blessings with those who wish to come and whom we do not need, and with the aliens already here who violate our hospitality, we would sooner or later be no better off than the supplicants; in short, we would eventually have no need of immigration laws, since the inducements to come here would cease to exist. The welfare of the millions making up our own country must be held steadfastly paramount. It is not nearly so cruel, if cruelty it be, to reject the ones who threaten our well-being as it would be to subject those in our midst who are healthy, happy, prosperous, and law-abiding to the danger of unfair competition, the result of unrestricted immigration and its attending train of lowered living standards and other devitalizing processes.

ALIEN CRIMINAL DEPORTATION

On February 11, 1925, speaking in support of the alien criminal deportation bill, I said:

We believe that no provision in this bill will work the least hardship on any worthy and law-abiding alien who is legally in the United States. We believe that it will be a positive benefit to aliens and equally beneficial to every citizen of the United States, both foreign and native born. This statement has been fully justified by the records of the Bureau of Immigration for the last three years.

In 1927 the number of aliens deported was 12,055, and the number subject to deportation, permitted to depart voluntarily, was 14,619. Included in this 26,674 undesirable aliens were many hundreds of insane, feeble-minded, prostitutes, narcotic peddlers, criminals of every class, and persons afflicted with loathsome or dangerous contagious diseases.

The Bureau of Immigration has attempted to work in cooperation with the penal and public health boards of the various States, and has been successful in this effort in every State except New York. It is the practice for the proper boards of the various States to notify the Bureau of Immigration when an alien convict is released for parole, so that the Government can take immediate steps to deport him.

At the time of the passage of the immigration act of 1924 there was great opposition on the part of many "foreign-born organizations," but with almost four years of beneficial operation of the law we are happy to learn that opposition to the restricted immigration principle has been greatly allayed.

The foreign born themselves realize that they have been tremendously benefited by restricted immigration.

Since 1924 the policy of the Bureau of Immigration has been to discourage married men from immigrating to the United States unless accompanied by their families.

The present law permits an American citizen to bring into this country outside of the quota his wife and unmarried children under 18 years of age.

An alien, if well qualified and desirous of embracing American opportunities to the fullest extent, may become an American citizen upon five years' residence in the United States. By July 1, 1929, every alien who entered the United States prior to the enactment of the 1924 law will have had the opportunity of becoming an American citizen, and as such bringing to America his wife and children.

The problem of "reuniting families" will therefore solve itself by July 1, 1929, without any further amendment of the present immigration law.

With a system of inspection in Europe and restricted numbers we have been able to better detect and prevent the entry of many undesirable aliens, and thus our country has been benefited not only by the entry of fewer aliens but those that have entered have been of a better and more desirable class.

I believe the "restrictive immigration law of 1924" to be the most important and beneficial measure that has been enacted by the American Congress within the last 50 years.

Its maintenance as the bulwark of American wages, living standards, social conditions, and political liberty becomes the sacred duty of every American citizen, be that citizen native or foreign born.

MONUMENT ON SITE OF BATTLE BETWEEN SIOUX AND PAWNEE INDIANS

Mr. LUCE. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill (H. R. 9194) authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle between the Sioux and Pawnee Indian Tribes in Hitchcock County, Nebr., fought in the year 1873, and concur in the Senate amendment.

The SPEAKER. The gentleman from Massachusetts ask unanimous consent to take from the Speaker's table the bill (H. R. 9194) and concur in the Senate amendment. The Clerk will report the bill.

The Clerk read the bill, with the Senate amendment.

The SPEAKER. Is there objection?

Mr. CRAMTON. Reserving the right to object, I have studied the Senate amendment as it appears in the RECORD, and it seems to me that it should be amended in two respects. If the amendments commend themselves to the gentleman from Massachusetts, he can adopt them, or perhaps he would like to have it passed over for the present so that he can study them.

Mr. SHALLENBERGER. If the gentleman from Michigan will permit——

Mr. CRAMTON. As the amendment is printed in the RECORD it says the title to the land "deemed appropriated," and it should be the land "deemed appropriate." It may be a misprint in the RECORD. It should provide, since they strike out the donation of a site, after the word "Nebraska" it should say "the acquisition of the site" which would mean acquisition of the site without expense to the Federal Government.

Mr. SHALLENBERGER. When the bill came before the Senate it provided that the title should be in Nebraska instead of the Federal Government.

Mr. CRAMTON. I think that is all right. I have been advised that the word "appropriate" is correct in the bill. Now, the only suggestion I have is that the bill specifically provide that the acquisition of the site shall be without expense to the Federal Government, and that can be easily done by inserting, after the word "Nebraska," "the acquisition of the site."

Mr. SHALLENBERGER. The time is getting so short and that will make it necessary for the bill to go back to the Senate. There will be no question about the title.

Mr. CRAMTON. I have perfect confidence in the gentleman from Nebraska. Can the gentleman from Nebraska assure us that the site is to be furnished without any expense to the Federal Government?

Mr. SHALLENBERGER. I can.

Mr. CRAMTON. That satisfies me.

The SPEAKER. Is there objection?

There was no objection.

The Senate amendment was agreed to.

FORT DEFIANCE, OHIO

Mr. LUCE. Mr. Speaker, I present a conference report on Senate Joint Resolution 82, relating to Fort Defiance, Ohio, for printing.

MUSCLE SHOALS

Mr. MORIN. Mr. Speaker, I call up the conference report on Senate Joint Resolution 46 and ask unanimous consent that the statement be read instead of the report.

The SPEAKER. The gentleman from Pennsylvania calls up the conference report on Senate Joint Resolution 46, and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. BYRNS. Reserving the right to object, I want to ask the gentleman from Pennsylvania a question. There are some Members like myself who are very much opposed to the conference report. Is it the gentleman's purpose to allow us a reasonable time in which to express our views?

Mr. MORIN. I have been informed by gentlemen who controlled the time in opposition in the House that they did not wish to debate it. I will be glad to yield time out of the hour to any Member who wants to express his views.

Mr. FROTHINGHAM. We are entitled to a certain amount of time.

Mr. MORIN. Yes, and I will give gentlemen a reasonable time out of the hour.

Mr. LINTHICUM. Will the gentleman yield me five minutes?

Mr. MORIN. I will.

The SPEAKER. Is there objection to the request of the gentleman from Pennsylvania?

There was no objection.

The Clerk read the statement.

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its disagreement to the amendment of the House to the title of the joint resolution, and agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the text of the joint resolution, and agree to the same with an amendment as follows:

In lieu of the language put in by the House insert the following:

"That for the purpose of maintaining and operating the properties now owned by the United States in the vicinity of Muscle Shoals, Ala., in the interest of the national defense and for agricultural and industrial development, and to aid navigation and the control of destructive flood waters in the Tennessee River and Mississippi River Basins, there is hereby created a body corporate by the name of the "Muscle Shoals Corporation of the United States" (hereinafter referred to as the corporation). The board of directors first appointed shall be deemed the incorporators and the incorporation shall be held to have been effected from the date of the first meeting of the board. This act may be cited as the 'Muscle Shoals act of 1928.'

"SEC. 2. (a) The board of directors of the corporation (hereinafter referred to as the board) shall be composed of three members, not more than two of whom shall be members of the same political party, to be appointed by the President, by and with the advice and consent of the Senate. The board shall organize by electing a chairman, vice chairman, and other officers, agents, and employees, and shall proceed to carry out the provisions of this act.

"(b) The terms of office of the members first taking office after the approval of this act shall expire as designated by the President at the time of nomination, one at the end of the second year, one at the end of the fourth year, and one at the end of the sixth year, after the date of approval of this act. A successor to a member of the board shall be appointed in the same manner as the original members and shall have a term of office expiring six years from the date of the expiration of the term for which his predecessor was appointed.

"(c) Any member appointed to fill a vacancy in the board occurring prior to the expiration of the term for which his predecessor was appointed shall be appointed for the remainder of such term.

"(d) Vacancies in the board so long as there shall be two members in office shall not impair the powers of the board to execute the functions of the corporation, and two of the members in office shall constitute a quorum for the transaction of the business of the board.

"(e) Each of the members of the board shall be a citizen of the United States, and shall receive compensation at the rate of $50 per day for each day that he shall be actually engaged in the performance of the duties vested in the board, to be paid by the corporation as current expenses, not to exceed, however, 150 days for the first year after the date of the approval of this act, and not to exceed 100 days in any year thereafter. Members of the board shall be reimbursed by the corporation for actual expenses (including traveling and subsistence expenses) incurred by them while in the performance of the duties vested in the board by this act.

"(f) No director shall have any financial interest in any public-utility corporation engaged in the business of distributing and selling power to the public nor in any corporation engaged in the manufacture, selling, or distribution of fixed nitrogen, or any ingredients thereof, nor shall any member have any interest in any business that may be adversely affected by the success of the Muscle Shoals project as a producer of concentrated fertilizers.

"(g) The board shall direct the exercise of all the powers of the corporation.

"(h) All members of the board shall be persons that profess a belief in the feasibility and wisdom, having in view the national defense and the encouragement of interstate commerce, of producing fixed nitrogen under this act of such kinds and at such prices as to induce the reasonable expectation that the farmers will buy said products, and that by reason thereof the corporation may be a self-sustaining and continuing success.

"SEC. 3. (a) The chief executive officer of the corporation shall be a general manager, who shall be responsible to the board for the efficient conduct of the business of the corporation. The board shall appoint the general manager, and shall select a man for such appointment who has demonstrated his capacity as a business executive. The general manager shall be appointed to hold office for 10 years, but he may be removed by the board for cause, and his term of office shall end upon repeal of this act, or by amendment thereof expressly providing for the termination of his office. Should the office of general manager become vacant for any reason, the board shall appoint his successor as herein provided.

"(b) The general manager shall appoint, with this advice and consent of the board, two assistant managers who shall be responsible to him, and through him, to the board. One of the assistant managers shall be a man possessed of knowledge, training, and experience to render him competent and expert in the production of fixed nitrogen. The other assistant manager shall be a man trained and experienced in the field of production and distribution of hydroelectric power. The general manager may at any time, for cause, remove any assistant manager, and appoint his successor as above provided. He shall immediately thereafter make a report of such action to the board, giving in detail the reason therefor. He shall employ, with the approval of the board, all other agents, clerks, attorneys, employees, and laborers.

"(c) The combined salaries of the general manager and the assistant managers shall not exceed the sum of $50,000 per annum, to be apportioned and fixed by the board.

"SEC. 4. Except as otherwise specifically provided in this act, the corporation—

"(a) Shall have succession in its corporate name.

"(b) May sue and be sued in its corporate name, but only for the enforcement of contracts and the defense of property.

"(c) May adopt and use a corporate seal, which shall be judicially noticed.

"(d) May make contracts, but only as herein authorized.

"(e) May adopt, amend, and repeal by-laws.

"(f) May purchase or lease and hold such personal property as it deems necessary or convenient in the transaction of its business and may dispose of any such personal property held by it.

"(g) May appoint such officers, employees, attorneys, and agents as are necessary for the transaction of its business, fix their compensation, define generally their duties, require bonds of them and fix the penalties thereof, and dismiss at pleasure any such officer, employee, attorney, or agent, and provide a system of organization to fix responsibility and promote efficiency.

"(h) The board shall require that the general manager and the two assistant managers, the secretary and the treasurer, the bookkeeper or bookkeepers, and such other administrative and executive officers as the board may see fit to include, shall execute and file before entering upon their several offices good and sufficient surety bonds, in such amount and with such surety as the board shall approve.

"(i) Shall have all such powers as may be necessary or appropriate for the exercise of the powers herein specifically conferred upon the corporation, including the right to exercise the power of eminent domain.

"SEC. 5. The board is hereby authorized and directed—

"(a) To operate existing plants for experimental purposes, to construct, maintain, and operate experimental plants at or near Muscle Shoals for the manufacture of fertilizer or any of the ingredients comprising fertilizer for experimental purposes.

"(b) To contract with commercial producers for the production of such fertilizers or fertilizer materials as may be needed in the Government's program of development and introduction in excess of that produced by Government plants. Such contracts may provide either for outright purchase by the Government or only for the payment of carrying charges on special materials manufactured at the Government's request for its program;

"(c) To arrange with farmers and farm organizations for large-scale practical use of the new forms of fertilizers under conditions permitting an accurate measure of the economic return they produce;

"(d) To cooperate with national, State, district, or county experimental stations or demonstration farms, for the use of new forms of fertilizer or fertilizer practices during the initial or experimental period of their introduction;

"(e) The board shall manufacture fixed nitrogen at Muscle Shoals by the employment of existing facilities (by modernizing existing plants), or by any other process or processes that in its judgment shall appear wise and profitable for the fixation of atmospheric nitrogen. The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

"(f) Under the authority of this act the board may donate not exceeding 1 per cent of the total product of the plant or plants operated by it to be fairly and equitably distributed through the agency of county demonstration agents, agricultural colleges, or otherwise as the board may direct for experimentation, education, and introduction of the use of such products in cooperation with practical farmers so as to obtain information as to the value, effect, and best methods of use of same.

"(g) The board is authorized to make alterations, modifications, or improvements in existing plants and facilities.

"(h) To establish, maintain, and operate laboratories and experimental plants, and to undertake experiments for the purpose of enabling the corporation to furnish nitrogen products for military and agricultural purposes in the most economical manner and at the highest standard of efficiency.

"(i) The board shall have power to request the assistance and advice of any officer, agent, or employee of any executive department or of any independent office of the United States, to enable the corporation the better to carry out its powers successfully, and the President shall, if in his opinion the public interest, service, and economy so require, direct that such assistance, advice, and service be rendered to the corporation, and any individual that may be by the President directed to render such assistance, advice, and service shall be thereafter subject to the orders, rules, and regulations of the board and of the general manager.

"(j) Upon the requisition of the Secretary of War or the Secretary of the Navy to manufacture for and sell at cost to the United States explosives or their nitrogenous content.

"(k) Upon the requisition of the Secretary of War the corporation shall allot and deliver without charge to the War Department so much power as shall be necessary in the judgment of said department for use in operation of all locks, lifts, or other facilities in aid of navigation.

"(l) To produce, distribute, and sell electric power, as herein particularly specified.

"(m) No products of the corporation shall be sold for use outside of the United States, her Territories and possessions, except to the United States Government for the use of its Army and Navy or to its allies in case of war.

"SEC. 6. In order to enable the corporation to exercise the powers vested in it by this act—

"(a) The exclusive use, possession, and control of the United States nitrate plants Nos. 1 and 2, located, respectively, at Sheffield, Ala., and Muscle Shoals, Ala., together with all real estate and buildings connected therewith, all tools and machinery, equipment, accessories, and materials belonging thereto, and all laboratories and plants used as auxiliaries thereto; the fixed-nitrogen research laboratory, the Waco limestone quarry, in Alabama, and Dam No. 2, located at Muscle Shoals, its power house, and all hydroelectric and operating appurtenances (except the locks), and all machinery, lands, and buildings in connection therewith, and all appurtenances thereof are hereby intrusted to the corporation for the purposes of this act.

"(b) The President of the United States is authorized to provide for the transfer to the corporation of the use, possession, and control of such other real or personal property of the United States as he may from time to time deem necessary and proper for the purposes of the corporation as herein stated.

"SEC. 7. (a) The corporation shall maintain its principal office in the immediate vicinity of Muscle Shoals, Ala. The corporation shall be held to be an inhabitant and resident of the northern judicial district of Alabama within the meaning of the laws of the United States relating to venue of civil suits.

"(b) The corporation shall at all times maintain complete and accurate books of accounts.

"SEC. 8. (a) The board shall file with the President and with the Congress, in December of each year, a financial statement and a complete report as to the business of the corporation covering the preceding fiscal year. This report shall include the total number of employees and the names, salaries, and duties of those receiving compensation at the rate of more than $2,500 a year.

"(b) The board shall require a careful and scrutinizing audit and accounting by the General Accounting Office during each governmental fiscal year of operation under this act, and said audit shall be open to inspection to the public at all times and copies thereof shall be filed in the principal office of the Muscle Shoals Corporation at Muscle Shoals in the State of Alabama. Once during each fiscal year the President of the United States shall have power, and it shall be his duty, upon the written request of at least two members of the board, to appoint a firm of certified public accountants of his own choice and selection which shall have free and open access to all books, accounts, plants, warehouses, offices, and all other places, and records, belonging to or under the control of or used by the corporation in connection with the business authorized by this act. And the expenses of such audit so directed by the President shall be paid by the board and charged as part of the operating expenses of the corporation.

"SEC. 9. The board is hereby empowered and authorized to sell the surplus power not used in its operations and for operation of locks and other works generated at said steam plant and said dam to States, counties, municipalities, corporations, partnerships, or individuals, according to the policies hereinafter set forth; and to carry out said authority the board is authorized to enter into contracts for such sale for a term not exceeding 10 years. And in the sale of such current by the board it shall give preference to States, counties, or municipalities purchasing said current for distribution to citizens and customers.

"SEC. 10. It is hereby declared to be the policy of the Government to distribute the surplus power generated at Muscle Shoals equitably among the States within transmission distance of Muscle Shoals.

"SEC. 11. In order to place the board upon a fair basis for making such contracts and for receiving bids for the sale of such power it is hereby expressly authorized, either from appropriations made by Congress or from funds secured from the sale of such power, to construct, lease, or authorize the construction of transmission lines within transmission distance in any direction from said Dam No. 2 and said steam plant: *Provided*, That if any State, county, municipality, or other public or cooperative organization of citizens or farmers, not organized or doing business for profit, but for the purpose of supplying electricity to its own citizens or members, or any two or more of such municipalities or organizations, shall construct or agree to construct a transmission line to Muscle Shoals, the board is hereby authorized and directed to contract with such State, county, municipality, or other organization, or two or more of them, for the sale of electricity for a term not exceeding 15 years, and in any such case the board shall give to such State, county, municipality, or other organization ample time to fully comply with any local law now in existence or hereafter enacted providing for the necessary legal authority for such

State, county, municipality, or other organization to contract with the board for such power: *And provided further*, That any surplus power not so sold as above provided to States, counties, municipalities, or other said organizations, before the board shall sell the same to any person or corporation engaged in the distribution and resale of electricity for profit, it shall require said person or corporation to agree that any resale of such electric power by said person or corporation shall be sold to the ultimate consumer of such electric power at a price that shall not exceed an amount fixed as reasonable, just, and fair by the Federal Power Commission; and in case of any such sale if an amount is charged the ultimate consumer which is in excess of the price so deemed to be just, reasonable, and fair by the Federal Power Commission, the contract for such sale between the board and such distributor of electricity shall be declared null and void and the same shall be canceled by the board.

"SEC. 12. The net proceeds derived by the board from the sale of power and any of the products manufactured by the corporation, after deducting the cost of operation, maintenance, depreciation, and an amount deemed by the board as necessary to withhold as operating capital, shall be paid into the Treasury of the United States at the end of each calendar year.

"SEC. 13. The Secretary of War is hereby empowered and directed to complete Dam No. 2 at Muscle Shoals, Ala., and the steam plant at nitrate plant No. 2 in the vicinity of Muscle Shoals, by installing in Dam No. 2 the additional power units according to the plans and specifications of said dam, and the additional power unit in the steam plant at nitrate plant No. 2: *Provided*, That the Secretary of War shall not install the additional power unit in said steam plant until, after investigation, he shall be satisfied that the foundation of said steam plant is sufficiently stable or has been made sufficiently stable to sustain the additional weight made necessary by such installation.

"SEC. 14. It is hereby declared to be the policy of the Government to utilize the Muscle Shoals properties for the fixation of nitrogen for agricultural purposes in time of peace.

"SEC. 15. The Secretary of War is hereby authorized, with appropriations hereafter to be made available by the Congress, to construct, either directly or by contract to the lowest responsible bidder, after due advertisement, a dam in and across Clinch River in the State of Tennessee, which has by long usage become known and designated as the Cove Creek Dam, according to the latest and most approved designs of the Chief of Engineers, including its power house and hydroelectric installations and equipment for the generation of at least 200,000 horsepower, in order that the waters of the said Clinch River may be impounded and stored above said dam for the purpose of increasing and regulating the flow of the Clinch River and the Tennessee River below, so that the maximum amount of primary power may be developed at Dam No. 2 and at any and all other dams below the said Cove Creek Dam.

"SEC. 16. In order to enable and empower the Secretary of War to carry out the authority hereby conferred, in the most economical and efficient manner, he is hereby authorized and empowered in the exercise of the powers of national defense in aid of navigation, and in the control of the flood waters of the Tennessee and Mississippi Rivers, constituting channels of interstate commerce, to exercise the right of eminent domain and to condemn all lands, easements, rights of way, and other area necessary in order to obtain a site for said Cove Creek Dam, and the flowage rights for the reservoir of water above said dam and to negotiate and conclude contracts with States, counties, municipalities, and all State agencies and with railroads, railroad corporations, common carriers, and all public utility commissions and any other person, firm, or corporation, for the relocation of railroad tracks, highways, highway bridges, mills, ferries, electric-light plants, and any and all other properties, enterprises, and projects whose removal may be necessary in order to carry out the provisions of this act. When said Cove Creek Dam and transportation facilities and power house shall have been completed, the possession, use, and control thereof shall be entrusted to the corporation for use and operation in connection with the general Muscle Shoals project and to promote flood control and navigation in the Tennessee River and in the Clinch River.

"SEC. 17. The corporation as an instrumentality and agency of the Government of the United States for the purpose of executing its constitutional powers, shall have access to the Patent Office of the United States for the purpose of studying, ascertaining, and copying all methods, formulæ, and scientific information (not including access to pending applications for patents) necessary to enable the corporation to use and employ the most efficacious and economical process for the production of fixed nitrogen, or any essential ingredient thereof, and any patentee whose patent rights may have been thus in any way copied, used, or employed, by the exercise of this authority by the corporation, shall have as the exclusive remedy a cause of action to be instituted and prosecuted on the equity side of the appropriate district court of the United States for the recovery of reasonable compensation. The Commissioner of Patents shall furnish to the corporation, at its request and without payment of fees, copies of documents on file in his office.

"SEC. 18. The Government of the United States hereby reserves the right, in case of war, or national emergency declared by Congress, to take possession of all or any part of the property described or referred to in this act for the purpose of manufacturing explosives or for other war purposes; but, if this right is exercised by the Government, it shall pay the reasonable and fair damages that may be suffered by any party whose contract, for the purchase of electric power or fixed nitrogen or its ingredients, is thereby violated after the amount of the damages have been fixed by the United States Court of Claims in proceedings instituted and conducted for that purpose under rules prescribed by the court.

"SEC. 19. (a) All general penal statutes relating to the larceny, embezzlement, conversion, or to the improper handling, retention, use, or disposal of public moneys or property of the United States, shall apply to the moneys and property of the corporation and to moneys and properties of the United States intrusted to the corporation.

"(b) Any person who, with intent to defraud the corporation, or to deceive any director or officer of the corporation or any officer or employee of the United States (1) makes any false entry in any book of the corporation, or (2) makes any false report or statement for the corporation, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than five years, or both.

"(c) Any person who shall receive any compensation, rebate, or reward, or shall enter into any conspiracy, collusion, or agreement, express or implied, with intent to defraud the corporation or wrongfully and unlawfully to defeat its purposes, shall, on conviction thereof, be fined not more than $5,000 or imprisoned not more than five years, or both.

"SEC. 20. In order that the board may not be delayed in carrying out the program authorized herein the sum of $10,000,000 is hereby authorized to be appropriated for that purpose from the Treasury of the United States, of which not to exceed $2,000,000 shall be made available with which to begin construction of Cove Creek Dam during the calendar year 1929.

"SEC. 21. That all appropriations necessary to carry out the provisions of this act are hereby authorized.

"SEC. 22. That all acts or parts of acts in conflict herewith are hereby repealed.

"SEC. 23. That this act shall take effect immediately.

"SEC. 24. The right to alter, amend, or repeal this act is hereby expressly declared and reserved."

And the House agree to the same.

JOHN M. MORIN,
W. FRANK JAMES,
B. CARROLL REECE,
PERCY E. QUIN,
WILLIAM C. WRIGHT,
Managers on the part of the House.

CHAS. L. MCNARY,
G. W. NORRIS,
E. D. SMITH,
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 House to the joint resolution (S. J. Res. 46) providing for the completion of Dam No. 2 in the vicinity of Muscle Shoals for the manufacture and distribution of fertilizer, and for other purposes, submit the following detailed statement in explanation of the effect of the action agreed upon and recommended in the conference report:

As amended by the House there were three major differences in the provisions of the resolution as it was passed by the Senate and as it was passed by the House. These were, first, whether the Government property at Muscle Shoals should be operated by the Secretary of War and Secretary of Agriculture, or whether it should be operated by a Government corporation; second, whether Cove Creek Dam should be constructed; and, third, what should be the character of the products to be manufactured. On the first two differences the Senate conferees receded, accepting the House language, with such amendments as necessary to provide for a board of directors with a member-

ship of three instead of five, while on the third difference the House conferees reached an agreement by a compromise that brings into conformity with the resolution as it passed the House the Senate provisions for the construction, operation, and maintenance of experimental plants at Muscle Shoals, the manufacture of nitrogen in such form as shall make it immediately available and practical for use by farmers in application to soil and crops, and to arrange with farmers and farm organizations for the practical use of the products of the plants at Muscle Shoals, as well as to cooperate with all existing agricultural experiment stations.

An amendment to the section concerning patent rights designed to speed up any possible court action was also agreed to.

In short, the joint resolution as agreed to by your conferees provides for a Government corporation authorized and directed to conduct experiments in the production and use of nitrogenous products, to sell surplus electric power, and the Secretary of War is authorized to construct Cove Creek Dam for the benefit of navigation, flood control, and the generation of electric power.

An authorization for an appropriation of $10,000,000 is carried in the resolution, with a provision that not to exceed $2,000,000 of this amount is to be used to begin work at Cove Creek during the year 1929.

JOHN M. MORIN,
W. FRANK JAMES,
B. CARROLL REECE,
PERCY E. QUIN,
WILLIAM C. WRIGHT,
Managers on the part of the House.

Mr. MORIN. Mr. Speaker, this report as now agreed to by the conferees conforms to the wishes of the House as expressed in its vote when the bill was before the committee.

The joint resolution (S. J. Res. 46) providing for the operation of the Government properties at and near Muscle Shoals as agreed to in conference, provides for the organization of a corporation to organize and operate the project by the construction, maintenance, and production of fixed nitrogen or its by-products, including fertilizer, for the sale of surplus power. The resolution also provides that the Secretary of War shall proceed with the construction of Cove Creek Dam.

As amended by the House there were three major differences in the provisions of the resolution as it was passed by the Senate and as it was passed by the House.

The first difference, whether or not the Government property at Muscle Shoals should be operated by the Secretary of War and Secretary of Agriculture, or whether it should be operated by a Government corporation, the conferees agreed to the House language with reference to same, with such amendments as are necessary to reduce the number of directers from five to three.

On the second difference, whether Cove Creek Dam should be constructed, the Senate conferees agreed to accept the House language providing for the construction of Cove Creek Dam by the Secretary of War.

The third point of difference, the characters of the products to be manufactured, was settled by compromise, the Senate conferees agreeing to accept, in modified form, the language of the House with new language added, providing for the manufacture of fixed nitrogen in such form as shall make it immediately available for application to soil and crops, confining the manufacture of fertilizer to experiments as provided originally in the Norris resolution, but only at Muscle Shoals.

Section by section the resolution provides the following:

Sections 1, 2, 3, and 4 provide for the organization of the corporation, detailing the number of directors to be named, their tenure of office and qualifications, the executive officers and their duties in the administration of the affairs, and details as well the general powers of the corporation and the salaries to be paid the various officers. These sections are taken from sections 1, 2, 3, 5, and 6 of the resolution as passed by the House, with such amendments as are necessary in reducing the number of directors from five to three.

Section 4 of the House amendment to the resolution, authorizing capital stock for the corporation, and part of section 6, detailing the policy as to distribution and sale of surplus power as carried in the House amendment, are not used in the conference resolution.

Section 5 of the conference resolution is divided into a number of lettered paragraphs detailing the activities of the corporation in the operation of experimental plants at or near Muscle Shoals for the manufacture of fertilizer for experimental purposes.

Paragraph (a) concerns the operation of existing plants for experimental purposes. This paragraph is a modification of the language of paragraph (A) of section 2 of the Senate resolution.

Paragraph (b) concerns the acquisition of fertilizers or fertilizer materials from commercial producers that may be needed in developing the experiments. The wording of this paragraph is the same as paragraph (B) of section 2 of the Senate bill.

Paragraphs (c) and (d) provide for arrangement with farmers and farm organizations for the practical use of new forms of fertilizers and cooperation with national, State, district, or county experiment stations. The wording of these two paragraphs is a modification of the language of paragraphs (c) and (d) of section 2 of the Senate bill.

Paragraph (e) provides for the manufacture of fixed nitrogen in such form as shall make it immediately available for application to soil and crops. This paragraph is a modified form of paragraph (e) of section 8 of the House amendment with new language added.

Paragraph (f) provides for the donation of not exceeding 1 per cent of the product for use by various experimental agencies so as to obtain information as to the value, effect, and best methods for use. It is a modified form of the language of paragraph (f) of section 8 of the House amendment.

Paragraph (g) provides for any changes or improvements in existing plants. It is part of the language of paragraph (f) of section 2 of the Senate resolution.

Paragraph (h) provides for the establishment and operation of laboratories and experimental plants. It is the language of paragraph (f) of section 8 of the House amendment.

Paragraph (i) gives the board authority to request assistance and advice from other Government agencies. It is the language of paragraph (g) of section 8 of the House amendment.

Paragraph (j) provides for the sale and cost to the Secretary of War and the Secretary of the Navy of explosives or their nitrogenous content. It is the language of paragraph (c) of section 8 of the House amendment.

Paragraph (k) provides for the delivery of power necessary to operate all locks, lifts, or other facilities in aid of navigation. It is the language of paragraph (d) of section 8 of the House amendment.

Paragraph (l) provides for the production, distribution, and sale of electric power. It is the language of paragraph (e) of section 8 of the House amendment.

Paragraph (m) provides that no product shall be sold outside of the United States except to the United States Government. This language is taken from paragraph (b) of section 8 of the House amendment.

Section 6 details the properties of the Government to be turned over to the corporation and how they shall be transferred. This is the language of section 9 of the House amendment.

Section 7 provides for the location of the principal office of the corporation and the maintenance of complete and accurate records. It is the language of section 10 of the House amendment.

Section 8 provides for reports and audits to be filed with the President and with Congress in December of each year. It is the language of section 11 of the House amendment.

Sections 9, 10, and 11 detail the method for the sale of surplus power. These sections provide for the sale of power to States, counties, municipalities, or other organizations, with a maximum rate to be fixed by the Federal Power Commission. It is the language of sections 6, 7, and 8, with necessary modifications, of the Senate resolution.

Section 12 is new language providing for the deposit of funds of the corporation in the Treasury of the United States at the end of each calendar year.

Section 13 provides for the completion of Dam No. 2. It is the language of section 1 of the Senate resolution.

Section 14 declares the policy of the Government for the utilization of Muscle Shoals. It is the first three lines of section 7 of the House amendment with an amendment.

Sections 15 and 16 provide for the construction of Cove Creek Dam by the Secretary of War. It is the language of sections 17 and 18 of the House amendment.

Section 17 outlines the use of patent rights by the corporation. It is the language of section 19 of the House amendment with an amendment agreed to in conference designed to speed up any possible court action.

Section 18 provides for the use of the property by the Government during war. It is the language of section 12 of the House amendment.

Section 19 provides the penalties incident to any improper conduct in the operation of the project. It is the language of section 20 of the House amendment with an amendment.

Section 20 authorizes the appropriation of $10,000,000 to carry out the program, including not to exceed $2,000,000 to begin the construction of Cove Creek Dam during the calendar year 1929. It is the language of section 11 of the Senate resolution with an amendment.

Sections 21, 22, 23, and 24 are the usual miscellaneous provisions to make the act effective and is the language of sections 21, 22, 23, and 24 of the House amendment.

Mr. SNELL. Mr. Speaker, will the gentleman yield?

Mr. MORIN. Yes.

Mr. SNELL. Do I understand that it provides in the bill that we are to build a complete fertilizer plant at Muscle Shoals, but only use it for experimental purposes?

Mr. MORIN. No; we are to use whatever plants we have there for experimental purposes.

Mr. SNELL. And there is no fertilizer plant, as I understand it, at Muscle Shoals.

Mr. MORIN. We are authorized to complete any plants there that we need for experimentation in the matter of fertilizer.

Mr. SNELL. And how much will it cost to build a fertilizer plant at Muscle Shoals?

Mr. MORIN. A complete plant?

Mr. SNELL. Yes.

Mr. MORIN. I do not know.

Mr. ALMON. Mr. Speaker, if the gentleman will permit, in answer to the gentleman from New York, the plant is already in existence—plant No. 2—with which the Government corporations can make fixed nitrogen.

Mr. SNELL. That is what I understood. You have a plant there at the present time for the manufacture of fixed nitrogen?

Mr. ALMON. Yes; in order to make fertilizer for experimental purposes, and to teach the farmers and the fertilizer industry better methods of making fertilizer. Of course, they may have to build a plant, but they can now with existing facilities make fixed nitrogen, as provided for in this bill.

Mr. SNELL. The conference report, as I understand it, provides for making finished fertilizer?

Mr. ALMON. Yes; for experimental purposes.

Mr. SNELL. But you would have to have a complete plant in order to do that.

Mr. ALMON. That probably would not cost much.

Mr. SNELL. Could the gentleman tell us what that will cost?

Mr. ALMON. I do not suppose anybody knows. No estimate has been made on that.

Mr. SNELL. And there is no limit to the authorization heretofore, and what I might say is necessary for experimental purposes, the gentleman might not agree with.

Mr. ALMON. That is to be determined by the board of directors who will be appointed by the President.

Mr. SNELL. And there is really no limit to that?

Mr. ALMON. I do not think there ought to be.

Mr. SNELL. And are they to sell the fertilizer for experimental purposes or are they to give it away?

Mr. ALMON. There is a provision here for giving away 1 per cent for experimental purposes.

Mr. SNELL. The original bill provided for 5 per cent.

Mr. ALMON. It is 1 per cent in the conference report.

Mr. FROTHINGHAM. But 15 per cent in the other bill.

Mr. ALMON. But that is dead, and there is no use talking about that now.

Mr. FROTHINGHAM. I do not know whether it is dead or not.

Mr. WILLIAM E. HULL. Are you going to manufacture fertilizer and sell to the trade in opposition to the fertilizer companies?

Mr. ALMON. No. This is satisfactory to the fertilizer industry, as far as I know.

Mr. NEWTON. The House adopted certain amendments taking fertilizer out of the bill, and, as I understand it, the conference report puts fertilizer back in the bill, but limits it to experimental purposes. The Senate bill, when it came over to the House, provided for this experimentation to be conducted not only at Muscle Shoals but at other portions of the country.

Mr. MORIN. It is confined to Muscle Shoals and Government property.

Mr. Speaker, I yield three minutes to the gentleman from South Carolina [Mr. McMILLAN].

Mr. McMILLAN. Mr. Speaker and gentlemen of the House, I am only going to take a very few moments to discuss the conference report of this bill, because I am fully aware of the fact that the House has already given a great deal of consideration and thought to this question.

You will recall the fight I made here on this floor a week or 10 days ago in respect to this bill, taking the position that the Congress should confine the operations of the Muscle Shoals plant to the provisions of law under the act of 1916, which provided for the manufacture of nitrates for explosives in time of war and nitrates for agricultural purposes in times of peace. I am glad that the House agreed with my position at that time by adopting a series of amendments I offered providing for the manufacture of fixed nitrogen for national defense and agricultural purposes.

I am delighted on this occasion to observe that the conferees of the Senate and House have come in with a report providing for the manufacture of fixed nitrogen in times of peace for the benefit of the agricultural interest of America. Heretofore American farmers have been paying, as I pointed out in my remarks when this bill was up before the House for consideration, a royalty to foreign countries of $12 per ton for nitrates, amounting approximately to $10,000,000 annually. This report therefore, if adopted, and the bill becomes a law, unquestionably means the saving of many millions of dollars annually to the American farmers.

Nitrates is one of the necessary ingredients for explosives. It is absolutely essential in the event of war, and this country should unquestionably be prepared at all times to produce sufficient quantities for national-defense purposes, and it is only the part of wisdom, as I see it, that the national defense act of 1916 contains such provisions with respect to the plant at Muscle Shoals for the production of nitrates. In peace times it is perfectly proper, from my point of view, for this great plant to manufacture fixed nitrogen for agricultural purposes, because the machinery for such manufacture is available, nor is such production in competition with private industry, whether it be for fertilizer purposes or otherwise, because, as I have already stated, practically all of our nitrates is imported from foreign countries.

The manufacture of fertilizer under the bill is confined only to experimental purposes, which I concede to be a very fine thing from an agricultural standpoint, as well as for the interest of the fertilizer industry, because any experiment that is found to be successful and beneficial as a fertilizer will be mutually helpful to the farmer and to fertilizer concerns.

The question has been raised here with reference to the interpretation of paragraph E, under section 5 of the report, which relates to the manufacture of fixed nitrogen and its practical application to soil and crops, some of the Members taking the position that the provisions found in this paragraph give authority to the corporation to manufacture a complete fertilizer. Such construction, with due deference to their opinion, I believe, is a mistaken one, for the reason that pure nitrogen can not be successfully used when applied to a plant or crops, and the words, "in combination with such other ingredients," mentioned in the paragraph merely intends to serve as a "filler" or a "base" to preserve and make available the nitrates as a fertilizer. Furthermore, the report definitely confines the manufacture of fertilizer for experimental purposes only and therefore it follows, it seems to me, that should the corporation undertake to manufacture a complete fertilizer for sale such action would be in direct conflict with both the explicit terms and spirit of the act as well as initiating an activity in competition with private industry to which I am unalterably opposed.

It will be observed also that section 14 of the conference report definitely declares the policy of the Government to utilize the Muscle Shoals property for the fixation of nitrogen for agricultural purposes in times of peace. This expressed policy as outlined in section 14 leaves no doubt in my mind the definite intent of Congress with respect to this question.

I hope the House will adopt the conference report which has just been favorably acted upon by the Senate, and put through this Muscle Shoals problem. It has been, as every one will agree, a matter that has been pending in this Congress for years. We have spent already $140,000,000 toward this project for national defense and agricultural purposes, and it is my opinion that this bill in its present form will meet with the approval of a great majority of the people of our country. [Applause.]

Mr. MORIN. Mr. Speaker, I yield 10 minutes to the gentleman from Tennessee [Mr. BYRNS].

The SPEAKER. The gentleman from Tennessee is recognized for 10 minutes.

Mr. BYRNS. Mr. Speaker, under all the circumstances it is perhaps futile to undertake to defeat this conference report. I have been amazed at the disposition of the House, for with practically no debate and with no real deliberate consideration of this important legislation it has passed a bill and is now about to adopt a conference report which invades the sovereignty of a State of this Union and establishes a precedent which will enable the Federal Government in the future to enter any

sovereign State without its consent and take possession of its greatest and most valuable power site, utilize it for its own purposes, without regard to the sovereign rights of the State to regulate and control any power that may be generated at that power site, without regard to the right of the State to exercise its taxable power, and, above all, to provide for the erection of a transmission line which will carry every kilowatt of that power from the State where it is generated to another State for sale or disposition in that other State.

That is the proposition that confronts you. This report does not provide for commercial fertilizer, and in verification of that statement I call attention to the statement made by the gentleman from Michigan [Mr. JAMES] the other day, and the statement made by the gentleman from Alabama [Mr. HILL], when the amendment submitted by the gentleman from South Carolina [Mr. MCMILLAN] was pending, to strike from the bill the proposal to manufacture complete fertilizer. On that occasion they both vehemently declared on the floor of this House that the action of the committee and of the House in adopting the amendment had robbed the bill of its fertilizer feature, and that it would not provide fertilizer for the farmer. The gentleman from Pennsylvania [Mr. MORIN] has just told you that this report conforms to the action taken by the House at that time.

Mr. DAVIS. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Yes; I yield for a brief question.

Mr. DAVIS. Is it not conclusive evidence that this bill is of no benefit to the farmer in its present form—the fact that the Fertilizer Trust is now satisfied with the bill?

Mr. BYRNS. Yes. I think the gentleman is clearly correct. That it will give to the farmer cheaper fertilizer or will bring about competition in the sales of fertilizer will not be seriously claimed by anyone supporting this conference report.

Mr. BEEDY. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. For only a brief question.

Mr. BEEDY. This conference report, under section 5, paragraph (e), on page 4 of the printed conference report, carries this language:

> The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

Mr. BYRNS. I can not yield to the gentleman further. This provides for complete fertilizer for experimental purposes only. It provides for the fixation of nitrogen. But what can the farmer do with nitrogen? It will have to be sold to some mixing concern.

What is the present situation? The bill has been stripped of every pretense that enabled those who advocated it to claim that the additional power at Cove Creek was necessary in order to furnish fertilizer to the farmer. They said that was the reason why they were invading the sovereignty of the State of Tennessee and taking away from it in perpetuity the rights to which the State is legally entitled. Now it is stripped of those features, and therefore the bill stands before you in all its nakedness as a power bill and a clear purpose to erect a dam costing millions of dollars within the State without its consent, and over 300 miles from Muscle Shoals, for the purpose of generating power and carrying that power by a transmission line into Alabama for sale by the Government. The taxpayers of Tennessee are to have no right to a voice in its disposition, nor are they to be permitted to share in its benefits.

Gentlemen, I repeat to you that there was never a grosser usurpation of the rights of the States. What the Government is seeking to do in this instance in Tennessee the Government may seek to do in your State at some future time.

As I have had occasion to say heretofore, the fundamental reasons for my opposition to this bill is that it is an outrageous violation of the legal rights of my State. It is estimated that 120,000 horsepower will be generated at Cove Creek for at least seven and one-half months in the year. Not a kilowatt of this power is to be used in the State for the benefit of its industries. It is to be carried 310 miles to Alabama on a transmission line built at public expense and then disposed of by the Federal Government. The State of Tennessee is to have no voice in the regulations, control, or disposition of this power, nor is it to get any revenue therefrom, notwithstanding over 54,000 acres of land will be flooded and taken out of the taxable values of the State and the county in which it is located.

Oh, the gentleman from Alabama said:

> Pass this bill now, and then later on we will enact a law to cure that.

The State of Tennessee is to be deprived in perpetuity of this great power site which to her is worth at least $50,000,000, according to the statement made by Henry Ford several years ago. In other words, what the gentleman from Alabama meant was to take it from Tennessee and give it to Alabama, and then, as he said, "We will pass a law to prevent it."

That is what you are being asked to do to-day. That is what the passage of this conference report means.

I believe the President will veto it. I hope he will. But let me tell you this, that if he does not veto it, the State of Tennessee is not going to sit supinely by and see her constitutional rights taken away from her until the courts of the country have passed upon the question, even though it will involve the State in expensive and prolonged litigation, drawn out perhaps for years.

Why this proposition now to make fertilizer for experimental purposes? The proposition heretofore was to manufacture fertilizer in time of peace. For the last 12 years you have stated that you would give cheaper fertilizer to the farmer. What will you say to the farmer when you go back and say you passed a bill for experimental purposes only; that you have not passed a fertilizer bill, but a power bill, for the benefit of certain interests? What is the farmer going to say to you—the farmer whom you have assured for years that you were going to give him commercial fertilizer at Muscle Shoals, when he learns that the promises repeatedly made have not been kept and that you are more interested in passing a power bill than you are in the effort to give him cheaper fertilizer, as was intended by the act of 1916?

Mr. BEEDY. Mr. Speaker, will the gentleman yield?

Mr. BYRNS. Not now. I know that this bill provides for the manufacture of fixed nitrogen; but the gentleman from Maine knows and this House knows, that the farmer can not use fixed nitrogen. The gentleman knows that there are ingredients which the farmer has not got, and with which it must be mixed for fertilizer purposes, and if the farmer had such ingredients he has not the knowledge or experience to enable him to mix them. As my friend from Tennessee [Mr. DAVIS] has said, it is no wonder that the fertilizer interests have withdrawn opposition to this bill as it now stands.

If this bill would produce fertilizer for the farmer, do you suppose some here would be advocating the passage of this report? No. They would be here fighting it just as they fought it the other day, but since the teeth have been drawn, since they know the farmers are not going to get fertilizer, and since they know the provision which the gentleman from Maine read will not bring about competition, they are asking you to adopt this report because they are not interested in the question of power. [Applause.]

The SPEAKER. The time of the gentleman from Tennessee has expired.

Mr. MORIN. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. WRIGHT].

Mr. WRIGHT. Mr. Speaker, there has been a great ado made about this legislation on the part of the State of Tennessee with regard to sovereign State rights. I would be one of the last men in the world to invade the sovereign rights of a State; but what is the situation here? This Cove Creek Dam site in Tennessee, I presume, has been there about 6,000 years. The State of Tennessee, her citizens, and no private enterprise has ever developed it. As a matter of fact, it is not a water-power proposition per se. If a dam should be constructed at Cove Creek there will only be generated there primary power of some 8,000 or 9,000 horsepower. That is the great power my friend BYRNS is talking about being taken out of Tennessee and transmitted to Muscle Shoals.

Mr. BYRNS. Will my friend yield?

Mr. WRIGHT. Certainly.

Mr. BYRNS. Is it not a fact that according to the reports and estimates, 120,000 horsepower can be generated at Cove Creek for at least eight and a half months in the year?

Mr. WRIGHT. At the time of flood season; yes.

Mr. BYRNS. I said for at least eight and a half months in the year.

Mr. WRIGHT. I am talking about primary power, which is the only kind you can depend on the year around. Now, what would happen if this Cove Creek Dam should be constructed? A great reservoir would be created there which would store the water in time of the flood season and in the low-water period it could be released so as to practically double the primary power, not only at Muscle Shoals but at every dam which might be built on the Clinch River and the Tennessee River below Cove Creek. Gentlemen, that is the greatest boon that could be given to the State of Tennessee.

It is a thing which she has refused to do herself, which private enterprise has failed to do, and it is a thing which the Government is now proposing to do for the State and her people. Yet gentlemen stand here talking about the Government robbing the State of Tennessee. [Applause.] Gentlemen, it means more

industrial development in the State of Tennessee than anything that could happen to the State. The Government will expend from $20,000,000 to $35,000,000, without one cent of it being contributed by the State of Tennessee, except the proportion of the taxes which would be paid by Tennessee to the Federal Government. In all of the Tennessee Valley it would mean development in an industrial way, and the dams which would follow the construction of this Cove Creek Dam would mean that their primary power would be practically doubled. Not only that, but Tennessee is interested in flood control as well as the people below Tennessee, and the estimates of the engineers show that the construction of this Cove Creek Dam alone will lessen the flood danger in Tennessee 15 per cent. In addition, you must understand that if the Cove Creek Dam is constructed there will be other dams built along the Clinch and Tennessee Rivers, not by the Government but by private enterprise, which will aid in the control of floods and will make navigation possible on the Tennessee River, the very thing Tennessee has so long clamored for. The dams which may be built below Cove Creek would, of course, have to contribute to the Government for the just proportion of the amount of benefits.

Now, my friend BYRNS says fertilizer has been taken out of this bill. I confess, gentlemen, from my viewpoint it is a disappointment so far as fertilizer is concerned, but, gentlemen, let him get in his mind the fact that there is still a lot of fixed nitrogen in this bill, a thing which the farmer can use and which is a very important thing in the manufacture of fertilizer. It is one of the three elements used in making plant food, and it carries with it the same chemical ingredients of nitrate of soda.

Mr. BEEDY. Will the gentleman yield?

Mr. WRIGHT. Yes.

Mr. BEEDY. I think there should be some explanation as to subsection (e), on page 4. Either fertilizer is in the bill or it is not.

Mr. WRIGHT. The bill provides for the manufacture of fixed nitrogen.

Mr. BEEDY. Certainly; and the language is:

> The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

Mr. WRIGHT. Absolutely. My friend has said that it can not be used. It can be hydrated by applying water and oil to it so that the farmer himself can scatter it.

The SPEAKER. The time of the gentleman from Georgia has expired.

Mr. MORIN. Mr. Speaker, I yield five minutes to the gentleman from Maryland [Mr. LINTHICUM].

Mr. LINTHICUM. Mr. Speaker, the Muscle Shoals conference report before us to-day is much modified and to many perhaps easier to digest, but it still maintains that principle to which I am unalterably opposed, that is, that of launching the Government in private business. If we propose to socialize the manufacture of nitrates, fertilizers, and power, then we had just as well begin to socialize other industries of the land which are bound to follow in its wake.

This conference report and the Muscle Shoals bill which will be the outcome thereof is but the camel's nose under the tent. You tell me this is for the manufacture of fertilizers for experimental use only, but I say to you that when the Government constructs a fertilizer plant which is authorized under this act it will not long limit itself or this corporation which is formed by this bill to the manufacture of fertilizer solely for experimental purposes.

It is well known to the Members of this House that when the legislative camel gets his head under the tent, subsequent legislative enactments enable him to pass in with his whole body. You tell me this bill limits the manufacture of fertilizer for experimental purposes only. If that be the case, then I must confess I do not understand that section of paragraph E, page 4, of the report which says:

> The fixed nitrogen provided for in this act shall be in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops.

Certainly this authority, unless some construction of other portions of the bill prevent, would give the right to manufacture fertilizer. It is certainly on its face subject to liberal construction and unlimited manufacture.

You propose to turn over to the corporation formed in this bill the sum of $10,000,000 in cold cash, together with the entire Muscle Shoals property of $140,000,000, and then to make the measure heaping and running over, you transfer to them the million and three hundred thousand dollars revenue which the Government is now deriving from the property. A massive corporation, indeed, operating upon Government funds. The board of directors is to be composed of three members, who are each to receive $50 per day, but are not to serve more than 150 days in any one year. They are not to have any interest in any corporation which manufactures or distributes power; manufactures nitrogen or any of the ingredients thereof.

How can they have had any experience and not have obtained any financial interest in any business comparable to that of which they are to be directors? The corporation is not limited to the number of employees, except that the salaries of the general manager and the two assistant managers shall not exceed the sum of $50,000 per annum.

This corporation is to be augmented, according to section 15, by the construction, through the Secretary of War, of a dam across Clinch River in the State of Tennessee, commonly called Cove Creek Dam, and for this, in addition to the money provided for the corporation and that invested in property of over $150,000,000, the Congress is expected to appropriate additional funds for the construction of this dam, and this Cove Creek Dam is to have $2,000,000 to begin construction at once.

It is not so much the fertilizer or the nitrates nor even the power of which I am speaking, but it is the fact that the National Government is to launch into business upon a tremendous scale incompatible with the policies of our Government and certainly never contemplated by the framers of our Constitution. I think I speak for the people of my native State of Maryland when I say that we are unalterably opposed to any such action on the part of the Government.

Mr. SCHAFER. Will the gentleman yield?

Mr. LINTHICUM. Certainly.

Mr. SCHAFER. The gentleman is not opposed to the Government entering into the dispensary business if the existing prohibition laws are modified, is he? [Laughter and applause.]

Mr. LINTHICUM. I am in favor of the Government controlling alcoholic liquors, whether it is done by the dispensary system or otherwise as is done in Quebec, because I think that is a matter which is in the interest of all the people, is a police power, but this is not. [Applause.]

It is a sad commentary indeed that because we have expended millions of dollars on Muscle Shoals for war purposes that we should now be compelled to expend this vast sum of money in addition upon a venturous proposition. The property is susceptible of producing a very large income in time of peace and to be utilized for the manufacture of nitrates needed in time of war. Step by step the National Government seems to be entering into business. Numerous officers and job holders are being added to the Government pay roll. Government bureaus are being created to take care of new enterprises, new appropriations, new allocations of funds. Millions of dollars are being appropriated to finance various projects contemplated by the different sections of the country. Yesterday and again to-day we discuss the Boulder Dam proposition upon which there is no consensus of opinion as to its advisability, and yet the Government is asked to appropriate $125,000,000 for that project, which it is proposed to repay in 50 years, but there is room for reasonable doubt and certainly strong arguments that it can never be repaid, and that the Government will be mulched for many millions in addition to the $125,000,000. Then there is to come later the Columbia Basin project, which would require many millions, and the proponents of the McNary-Haugen bill have not yet been killed off in spite of the meat-ax veto of President Coolidge. Where are we to terminate? What is the answer to all the demands upon the National Government? The Treasury of the United States is not filled by any miracle nor by the printing press nor the engraver's method, but it is filled by taxation taken from the pockets of the humblest citizens as well as the princely merchant. The more appropriations we make the heavier the tax and the harder the strain on our citizens. I sincerely trust, Mr. Speaker, we will vote down this conference report, and let us return to those things more in conformity with proper legislation. [Applause.]

Mr. MORIN. Mr. Speaker, I yield five minutes to the gentleman from Georgia [Mr. CRISP]. [Applause.]

Mr. CRISP. Mr. Speaker and gentlemen of the House, I am for this conference report. [Applause.] Two propositions are involved, the manufacture of nitrates and the development of power, and the whole history of the use of this Muscle Shoals project for eight years has not been creditable to the Congress. [Applause.]

Briefly, the Muscle Shoals situation is this: In 1916 Congress passed a law to develop Muscle Shoals for the purpose (as the law stated) of furnishing nitrates for national-defense pur-

poses in time of war and nitrogen and other useful products to aid agriculture in time of peace. From the cessation of hostilities until now, Congress has been endeavoring to make some useful disposition of Muscle Shoals. Six or seven years ago it was proposed to manufacture nitrogen there, and the fertilizer interests all fought it, saying nitrogen could not be economically manufactured there. The power interests joined them and fought it, saying there was no need to develop power as there were not sufficient industries to consume it. About four years ago, when Ford offered to lease it and operate it, both fertilizer and power interests fought that plan. Since then the Government has endeavored to obtain a private lease for its development and has utterly failed. The fertilizer interests were urged to submit a bid for the plant to manufacture nitrogen and refused to do so.

The situation now is simply this: Government operation or continuance of present conditions. The taxpayers have invested about $150,000,000 at Muscle Shoals, and it is costing them about $250,000 a year for maintenance and protection of the idle and deteriorating plants. The Government is now in business there generating power which is being sold to the Alabama Power Co. at 2.6 mills a kilowatt, and they in turn are selling it to consumers at from 6 to 14 cents a kilowatt. Of course, this is a very profitable and highly agreeable arrangement for the power interests.

To-day the farmers are paying $12.53 a ton export tax to Chile on Chilean nitrate and paying freight on about 1,600 pounds of worthless filler to each ton of nitrate shipped from Chile, leaving only 400 pounds of nitrogen or plant food per ton. This, to my mind, is an unjust burden on the farmers, when nitrate can be manufactured at Muscle Shoals and sold to the farmers at less than half they are now paying. I prefer for the great mass of the people to get some benefit of our investment there rather than the power interests.

The opponents argue that only the farmers near Muscle Shoals can get the benefit on account of freight rates, and that it discriminates against those who can not pay cash. This same discrimination exists against the farmers now by reason of the vast difference made by the fertilizer companies between their cash and credit prices. Fertilizer manufactured at Muscle Shoals is to be 60 per cent plant food instead of from 15 to 20 per cent plant food. Unquestionably, if the farmers save the freight on worthless filler, the Muscle Shoals product can be shipped to a much larger area than the low-grade fertilizers of to-day can be economically shipped, and no one can question that Muscle Shoals is nearer to the farmers than Chile.

I think the fertilizer plants are unnecessarily alarmed, because most of them are simply mixing plants and they buy their ingredients. If they can buy them cheaper at Muscle Shoals than they buy them to-day, they can still do business, though, of course, they will have to reduce their sale price to the farmers, and I am sincerely in favor of this, for I know of no class of people needing financial and governmental assistance more than the farmers. The Government has aided about every other industry, and I think it time for them to help the farmers.

When the first Senate resolution, No. 46, came over from the Senate, neither of these interests opposed it. It provided for the manufacture of only fixed nitrates. It provided for the sale of power under certain conditions. Cove Creek Dam, which would practically double the horsepower of the project, was not in the bill. With Cove Creek in, more surplus power would be for sale in competition with the power companies. The House amended the bill and made it a real, workable bill to manufacture fertilizer and power, and since I have been in Congress for 15 years, I have never seen such propaganda against any bill as there has been against this one.

Now, what does this conference report do? It does not go as far as I would like. I think this bill is satisfactory to the fertilizer people, for it does not propose to manufacture and sell a complete fertilizer. It provides only for the manufacture of one element or one ingredient of fertilizer—nitrates. You gentlemen who are not familiar with fertilizer, I apprehend, do not understand it. A complete fertilizer is a mixture of three plant foods—phosphoric acid, ammonia or nitrates, and potash. To-day the fertilizer companies get their potash from Alsace-Lorraine. They get their nitrates from Chile, from blood and tankage from the packers, from fish scraps, or from cottonseed meal, and a very few companies manufacture phosphoric acid from phosphoric rock. The great majority of the fertilizer companies purchase these three elements of plant food and mix them with sand, ground rock, and other worthless filler, and sell as a complete fertilizer.

Under this bill only one element of the complete fertilizer will be manufactured—nitrate. To-day the fertilizer companies are getting hundreds of thousands of tons of nitrate from Chile and paying $12.53 export duty on every ton of nitrate imported into the United States, which the farmer when he buys their product is compelled to pay the Chilean Government.

Under this bill fertilizer companies can buy their nitrate from the Muscle Shoals corporation instead of Chile, and they will use it as one element for mixing a complete fertilizer, and it is not competing with them in business. I hope and believe that as they can buy this nitrate cheaper they will reduce the price of complete fertilizer to the farmer after mixing it and making a complete fertilizer. I am for the bill for the reason that it is a step in the right direction. [Applause.] If the fertilizer companies do not give the farmers the benefit of a lower price on this one ingredient, the most expensive element in fertilizer, I hope Congress will take further steps and amend the law and authorize the manufacture and sale of a complete fertilizer.

You gentlemen from the West who are supporting the Boulder Dam should appreciate that the inclusion of Cove Creek Dam is identical with your proposition. I appreciate the position of the gentlemen from Tennessee who, actuated by the highest motives, are standing up for what they believe to be the sovereign rights of their State, but there are other interests opposing it because they do not want to double the power which will come in competition with the private power companies. But you gentlemen supporting the Boulder Dam should appreciate that this is an identical proposition with yours—Cove Creek provides for this dam as an aid to navigation. It is a key dam that will open up a 150 or 200 miles of river navigation. It doubles the power to be generated at Muscle Shoals and reduces the flood danger to Chattanooga 15 per cent seeking to accomplish exactly what the friends of the Boulder Dam say it will accomplish if built—protect the Imperial Valley from flood, aid navigation, and generate power.

I am going to vote for this bill. [Applause.] That is all I care to say; the report is in the right direction, and I hope it will be adopted. [Applause.]

Mr. MORIN. Mr. Speaker, I yield five minutes to the gentleman from Tennessee [Mr. BROWNING].

Mr. BROWNING. Mr. Speaker, boiled down to its final analysis, the House need not be deceived as to the primary purpose of this project. The primary purpose is a power project, because there is plenty of power at Muscle Shoals now to manufacture all the nitrate that they need and all they will ever produce by it. But the people of Tennessee have a principle involved that is not involved in Boulder Dam, because the Boulder Dam bill provides that when you amortize the expense connected with it each State has its equitable right to the property and improvements there, and the Government has no further financial interest in it. But when we asked for that, when we from Tennessee sought to amortize the expense of Cove Creek Dam and all the transmission lines and improvements connected with it—the same rights that they have guaranteed to the project at Boulder Dam—we were accused of trying to steal something. You gentlemen who vote to give at Boulder Dam—you who vote to give back to the States the property after amortizing the bonds that are used to construct it, have no right to question us, because we ask that the same thing be done for Tennessee.

The gentleman from Georgia, Judge WRIGHT, insists that they are conferring a great favor on Tennessee. Well, we are not willing to have such favors forced upon us. Remember, gentlemen, that Cove Creek in Tennessee is 300 miles above Muscle Shoals, and all the power goes down into Alabama, over this transmission line, not only from this dam but from the other eight or nine dams below it in Tennessee, and that our State is being robbed of its sovereign rights in this power and is denied the benefits of any development within its borders. In other words, it is hereby proposed to decree that God Almighty made a mistake in giving any natural resources to Tennessee; it was intended to give it all to Alabama.

The gentleman from Georgia, Judge WRIGHT, a good friend of mine, admits that Tennessee has some rights, but he says, "Let us build the dam and take over the power for the Government, and then determine later what the State rights are, and that we can reserve them." It reminds me of the time when I reserved title to a biscuit that I had in my hand and then gave it to my bird-dog pup.

The SPEAKER. The time of the gentleman from Tennessee has expired. The question is on agreeing to the conference report.

Mr. MORIN. Mr. Speaker, I yield one minute to the gentleman from Alabama. [Mr. ALMON].

Mr. ALMON. Mr. Speaker, I just want to take this time to say that I am in favor of this report and trust that it will be adopted.

I, of course, preferred the original bill which provided for the manufacture and sale by the Government corporation of a

complete concentrated fertilizer, but this is the best bill that we can get at this time. If it is approved by the President, as I sincerely hope it will be, future Congresses can make such amendments as may be found necessary. This bill will at least make a start and put the plants into operation and provide for a sale of the power which is now running to waste. The bill authorizes the manufacture and sale by the Government of fixed nitrogen in such form and with such ingredients as shall make the nitrogen immediately available and practical for use by the farmers by application to soil and crops just as nitrate of soda is used. Fertilizer of this kind made at Niagara Falls by the American Cyanamid Co. is now selling for 7 cents per pound. The Government should make and sell it at Muscle Shoals for not more than 6 cents per pound, thereby saving the farmers at least 15 cents per pound for their nitrogen which is the principal ingredient in all fertilizer. They can then buy the phosphoric acid if they like and do their own mixing and in that way they should be able to save something like one-half of their fertilizer bill. In addition to this, the Government corporation should be able to sell the power that is now running to waste at Wilson Dam. A recent communication I received from the United States district engineer at Muscle Shoals shows that there is now 245 horsepower available and that the Alabama Power Co. is taking a little less than 10 per cent and the balance is running to waste. If the power that is going to waste were sold at even 2 mills per kilowatt it would amount to $7,158 per day.

I trust that all of you gentleman who are interested in agriculture will vote for the adoption of this conference report, and from what I can learn I believe it will be adopted by a good majority. [Applause.]

Mr. MORIN. Mr. Speaker, I yield three minutes to the gentleman from Massachusetts [Mr. FROTHINGHAM].

Mr. FROTHINGHAM. Mr. Speaker, I think the House ought to realize what it is doing on this conference report and also realize that as far as speed goes, the Government is receiving for Muscle Shoals now nearly a million dollars a year, so that there is no immediate need for rushing headlong into legislation which has not been digested, and this certainly has not been digested. Whether it is easier to digest it with the fertilizer out of it or not, I do not know, but the bill still has the same grave objections from my point of view that it had when we were considering it in the House. It not only establishes a corporation with a capital of $10,000,000, which is just a beginner, but it is a matter that might perfectly well be turned over to a department of the Government to experiment with for fertilizer purposes. It also provides that the Government shall construct a dam at Cove Creek, which will cost $37,000,000, if I am correctly advised. Beyond that, it still leaves in the bill the right for this huge Government monopoly to go into the Patent Office of the United States and take cognizance of any patent that happens to be registered there.

Mr. McSWAIN. Will the gentleman not admit that so far as patents are concerned, that is the law and has been since 1910? Any Government agency since 1910 has had that right. That is in the law.

Mr. FROTHINGHAM. And that is why it is unfair competition with a private corporation which can not do that, and if any of these patents happened to have been owned by a foreigner, of course it is absolutely illegal to do such a thing.

Mr. McSWAIN. The Bethlehem Steel Co. was glad to use that power when it was making guns for the United States.

Mr. FROTHINGHAM. I don't know anything about that, but in time of war all things are different.

Mr. WAINRIGHT. Did not the gentleman vote for the Madden bill which provided for the construction of the Cove Creek Dam?

Mr. FROTHINGHAM. Yes; with objections. I voted against the Cove Creek Dam. It is one thing to allow private investment to go into this sort of thing, and another thing to put public money in there in the form of a Government corporation.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken.

Mr. BYRNS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BYRNS. This conference report has been adopted in the Senate. Would it be in order to move to recommit the conference report to the committee of conference with instructions?

The SPEAKER. The report must be voted either up or down in its entirety.

Mr. HULL of Tennessee. Mr. Speaker, I understood the gentleman from Pennsylvania agreed to yield me three minutes.

Mr. MORIN. I was about to yield three minutes to the gentleman when the House was dividing on the question.

The SPEAKER. The question has been submitted to the House and the Chair does not see how he can stop the division at this time. The question is on agreeing to the conference report.

The House divided.

Mr. LINTHICUM. Mr. Speaker, I demand the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 211, nays 147, answered "present" 1, not voting 71, as follows:

[Roll No. 87]

YEAS—211

Abernethy	Dowell	King	Rankin
Adkins	Driver	Kvale	Rathbone
Allgood	Edwards	LaGuardia	Rayburn
Almon	Englebright	Lampert	Reece
Andresen	Estep	Langley	Reed, Ark.
Arentz	Evans, Calif.	Lanham	Robinson, Iowa
Arnold	Evans, Mont.	Lankford	Romjue
Aswell	Fish	Larsen	Rubey
Auf der Heide	Fitzpatrick	Lea	Rutherford
Ayres	Fletcher	Letts	Sanders, Tex.
Barbour	Frear	Lindsay	Sandlin
Bell	French	Lowery	Schafer
Berger	Fulbright.	Lozier	Schneider
Black, N. Y.	Fulmer	Lyon	Sears, Nebr.
Black, Tex.	Furlow	McClintic	Selvig
Box	Gardner, Ind.	McDuffie	Shallenberger
Boylan	Garner, Tex.	McKeown	Simmons
Brand, Ga.	Garrett, Tex.	McLaughlin	Sinclair
Brand, Ohio	Gasque	McLeod	Sirovich
Briggs	Gibson	McMillan	Somers, N. Y.
Browne	Gilbert	McReynolds	Speaks
Buchanan	Goodwin	McSwain	Steagall
Buckbee	Gregory	McSweeney	Stedman
Busby	Green	Major, Ill.	Steele
Canfield	Greenwood	Major, Mo.	Stevenson
Cannon	Griffin	Manlove	Summers, Wash.
Carew	Hall, Ill.	Mansfield	Sumners, Tex.
Carss	Harrison	Mapes	Swank
Cartwright	Hastings	Martin, La.	Swing
Casey	Haugen	Mead	Tarver
Celler	Hill, Ala.	Michaelson	Taylor, Colo.
Chapman	Hill, Wash.	Milligan	Taylor, Tenn.
Christopherson	Hogg	Moore, Ky.	Thompson
Clague	Holaday	Moore, N. J.	Vinson, Ga.
Cochran, Mo.	Hooper	Moore, Va.	Vinson, Ky.
Cochran, Pa.	Hope	Moorman	Wainwright
Collier	Howard, Nebr.	Morehead	Ware
Collins	Howard, Okla.	Morin	Warren
Combs	Huddleston	Morrow	Weaver
Cooper, Wis.	Hull, William E.	Nelson, Mo.	Welch, Calif.
Cox	Jacobstein	Nelson, Wis.	Weller
Crail	James	Niedringhaus	White, Colo.
Cramton	Jeffers	Norton, Nebr.	Whittington
Crisp	Johnson, Ill.	O'Connor, La.	Williams, Mo.
Crosser	Johnson, S. Dak.	O'Connor, N. Y.	Williams, Tex.
Davenport	Johnson, Tex.	Oliver, Ala.	Williamson
Davey	Johnson, Wash.	Oliver, N. Y.	Wilson, La.
De Rouen	Kading	Parks	Wingo
Dickinson, Iowa	Kahn	Pou	Winter
Dickinson, Mo.	Kelly	Prall	Woodruff
Dominick	Kemp	Quin	Wright
Doughton	Ketcham	Ragon	Yates
Douglass, Mass.	Kincheloe	Rainey	

NAYS—147

Ackerman	Doyle	Kearns	Ransley
Aldrich	Drewry	Kent	Reed, N. Y.
Allen	Dyer	Kiess	Rogers
Andrew	Elliott	Kindred	Rowbottom
Bacharach	Eslick	Knutson	Sanders, N. Y.
Bachmann	Faust	Kopp	Seger
Beck, Pa.	Fenn	Korell	Shreve
Beedy	Fitzgerald, Roy G.	Kurtz	Snell
Beers	Foss	Leatherwood	Sproul, Ill.
Bland	Free	Leavitt	Sproul, Kans.
Bohn	Freeman	Leech	Stalker
Bowles	Frothingham	Lehlbach	Stobbs
Brigham	Gambrill	Linthicum	Strong, Kans.
Britten	Gifford	Luce	Strong, Pa.
Browning	Glynn	McFadden	Swick
Burdick	Goldsborough	MacGregor	Taber
Burton	Graham	Maas	Tatgenhorst
Byrns	Griest	Magrady	Thatcher
Campbell	Guyer	Martin, Mass.	Thurston
Chalmers	Hadley	Merritt	Tilson
Chase	Hale	Michener	Timberlake
Clarke	Hall, Ind.	Miller	Tinkham
Cohen	Hancock	Monast	Treadway
Cole, Iowa	Hardy	Montague	Tucker
Cole, Md.	Hawley	Moore, Ohio	Updike
Colton	Hersey	Morgan	Vestal
Connolly, Pa.	Hickey	Murphy	Wason
Cooper, Ohio	Hoch	Nelson, Me.	Watres
Crowther	Hoffman	Newton.	Watson
Cullen	Houston	O'Brien	Welsh, Pa.
Dallinger	Hudson	Palmisano	White, Me.
Darrow	Hull, Morton D.	Parker	Williams, Ill.
Davis	Hull, Tenn.	Peery	Wolverton
Dempsey	Igoe	Perkins	Wood
Denison	Irwin	Porter	Woodrum
Douglas, Ariz.	Jenkins	Pratt	Wyant
Doutrich	Johnson, Ind.	Ramseyer	

ANSWERED "PRESENT"—1

Chindblom

NOT VOTING—71

Anthony	Connery	Hughes	Sears, Fla.
Bacon	Corning	Johnson, Okla.	Sinnott
Bankhead	Curry	Jones	Smith
Beck, Wis.	Deal	Kendall	Spearing
Begg	Dickstein	Kerr	Strother
Blanton	Drane	Kunz	Sullivan
Bloom	Eaton	Menges	Temple
Boles	England	Mooney	Tillman
Bowling	Fisher	Norton, N. J.	Underhill
Bowman	Fitzgerald, W. T.	O'Connell	Underwood
Bulwinkle	Fort	Oldfield	Vincent, Mich.
Burtness	Garber	Palmer	White, Kans.
Bushong	Garrett, Tenn.	Peavey	Whitehead
Butler	Golder	Purnell	Wilson, Miss.
Carley	Hall, N. Dak.	Quayle	Wurzbach
Carter	Hammer	Reid, Ill.	Yon
Clancy	Hare	Robsion, Ky.	Zihlman
Connally, Tex.	Hudspeth	Sabath	

So the conference report was agreed to.

Mr. CHINDBLOM. Mr. Speaker, before the pairs are announced I wish to inquire if the gentleman from Alabama [Mr. BANKHEAD] voted?

The SPEAKER pro tempore (Mr. DICKINSON of Iowa). He is not recorded.

Mr. CHINDBLOM. I have a pair with the gentleman from Alabama, and I ask leave to withdraw by vote of "no" and vote "present." Mr. BANKHEAD would vote for the conference report if he were present.

The Clerk announced the following pairs:

Mr. Bankhead (for) with Mr. Chindblom (against).
Mr. Smith (for) with Mr. Eaton (against).
Mr. Spearing (for) with Mr. Corning (against).
Mr. Clancy (for) with Mr. W. T. Fitzgerald (against).
Mr. Bowling (for) with Mr. Garrett of Tennessee (against).
Mr. Wilson of Mississippi (for) with Mr. Drane (against).
Mr. Hare (for) with Mr. Deal (against).
Mr. Hammer (for) with Mr. Golder (against).

Until further notice:

Mr. Begg with Mr. Oldfield.
Mr. Temple with Mr. Connally of Texas.
Mr. Robsion of Kentucky with Mr. Bulwinkle.
Mr. Butler with Mr. Hudspeth.
Mr. England with Mr. Quayle.
Mr. Fort with Mr. Zihlman.
Mr. Wurzbach with Mr. Blanton.
Mr. Underhill with Mr. Sullivan.
Mr. Purnell with Mr. Connery.
Mr. Reid of Illinois with Mr. Mooney.
Mr. Zihlman with Mr. Jones.
Mr. Bacon with Mrs. Norton of New Jersey.
Mr. Curry with Mr. Sears of Florida.
Mr. Kendall with Mr. O'Connell.
Mr. Boles with Mr. Whitehead.
Mr. White of Kansas with Mr. Underwood.
Mr. Beck of Wisconsin with Mr. Yon.
Mr. Hughes with Mr. Carley.
Mr. Vincent of Michigan with Mr. Kunz.
Mr. Bowman with Mr. Dickstein.
Mr. Anthony with Mr. Johnson of Oklahoma.
Mr. Menges with Mr. Sabath.
Mr. Carter with Mr. Bloom.

Mr. DOUGLASS of Massachusetts. Mr. Speaker, my colleague, Mr. CONNERY, is absent on account of illness in his family. If he were present he would vote "aye."

The result of the vote was announced as above recorded.

On motion of Mr. MORIN, a motion to reconsider the last vote was laid on the table.

EXTENSION OF REMARKS

OPERATION OF RETIREMENT LAW AND NEEDED AMENDMENTS

Mr. MEAD. Mr. Speaker, from the time the original retirement law became effective on August 20, 1920, to the end of the fiscal year of June 30, 1927, 19,802 civil-service employees have been placed upon the retirement rolls. Of this number 15,480 were retired on account of age and 4,322 on account of disability. The total number of employees on June 30, 1927, who had reached retirement age but had received an extension of service, was 5,497.

The following table shows the number of employees retired each fiscal year, the number of annuitants on the roll and the number of deaths at the end of each fiscal year:

Fiscal year ending—	Total number retired	Annuitants on roll at end of year	Number of deaths on retired roll
June 30, 1921	6,763	6,471	274
June 30, 1922	1,714	7,576	614
June 30, 1923	2,521	9,332	745
June 30, 1924	2,082	10,548	833
June 30, 1925	2,084	11,689	943
June 30, 1926	1,873	12,529	962
June 30, 1927	2,765	14,119	1,110
Total	19,802		5,481

In considering retirement legislation it might be well at this time to keep in mind a few fundamental principles on which it is believed all can agree. Primarily the original purpose of enacting retirement legislation in 1920 was, first, to relieve the Government service of superannuated employees, by retiring them and putting in their places younger and more efficient workers, thus getting the work done more economically. The second purpose of the law was to make provision for the few remaining years of life left to the faithful old Government workers, when the time comes, that will come to all of us some day, when their tasks must be given over to younger hands. The law provided that if an employee was fairly efficient and willing to remain in the service of the United States, he might, upon reaching the age fixed for the retirement of his group, receive an extension of employment for a term of two years upon the approval of the Civil Service Commission; and at the end of the two years he may, by similar approval, be continued for another two years, and so on. After August 20, 1930, however, no employee shall be continued in the civil service of the United States beyond the age fixed for his retirement for more than four years.

Has the retirement law accomplished the important purposes of relieving the Government service of old and worn-out workers, and of providing the simple comforts of life for these workers when they are forced to retire? All the evidence before us shows that it has not. And that is why Congress is now making an effort to amend the law, so that it may reasonably achieve the worthy purposes sought when the original law was enacted. Let us briefly examine the causes of this failure, in order that we may better understand what is needed to correct the situation.

The principal reason, in my opinion, why the law has failed to fully accomplish the desired result is because of the amount of annuity paid. The original law of 1920 provided for a maximum of $720 a year. This was in effect until July 3, 1926, when the act was amended to provide a maximum annuity of $1,000. But these figures are misleading for the reason that less than 20 per cent of those on the retired roll receive the maximum of $1,000 per annum. The actual average annuity received by those on the retired roll is much below that figure. The following table shows what the average has been at the end of each fiscal year since the law has been in operation:

Fiscal year ending—	
June 30, 1921	$568.44
June 30, 1922	564.48
June 30, 1923	551.64
June 30, 1924	546.30
June 30, 1925	544.64
June 30, 1926	545.57
June 30, 1927	721.00

In other words, when the law provided a maximum of $720 a year, the actual average received by the retired employees was only $545. Now, under the present law with a maximum of $1,000, the average annuity paid is $721, or only $60 a month. Obviously no Government worker is going to retire and try to exist on this pittance, if he can get the Civil Service Commission and the head of his department to approve his continuance in the service. Naturally, if the head of a department has a spark of humanity in his breast, he is not going to throw out an old and faithful employee to struggle along on an annuity of $60 a month, or less, if the employee can still perform his work, after a fashion, in the Government service.

Hence the retirement law because of the low amount of annuity paid, up to the present time, has failed to relieve the Government service of superannuated employees to the extent desired. This is evidenced by the fact that 5,479 employees who were past the retirement age fixed for their respective groups were on extensions on June 30, 1927. From the time the law went into effect until June 30, 1927, 9,530 employees reaching retirement age have been granted a two-year extension; and during that same period 3,271 have been granted two two-year (four years) extensions beyond the retirement age. These extensions apply to all, the 62-year group, the 65-year group and the 70-year group. Nor are the extensions limited to four years. Up to May 15, 1928, 1,308 employees had received third continuances in the service, meaning that they are working six years beyond retirement age. Four hundred and eighteen employees have received four extensions of two years each, while a few are now on their fifth extension. And after August of this year, there will be many more in the third, fourth and fifth extension groups, owing to the fact that many received their first extension when the law went into effect August 20, 1920.

Until August 20, 1930, the law puts no limit on the number of continuances an employee may receive after reaching retirement age. After that date, however, extensions of service are limited to four years in two two-year periods. Thus when the original law was enacted, Congress provided a period of 10 years when there was no limit on continuances and making

it possible for an employee to work far beyond his retirement age. It is only reasonable to assume that those who were responsible for the enactment of the original retirement law in 1920 provided for this 10-year period with the thought that in the meantime Congress would amend the law so that a Government worker reaching the age fixed in the law could retire on an annuity sufficient to provide against want in the declining years of his life. This 10-year period is nearly at an end; and it is the duty of Congress to take action so that the law may accomplish its logical purpose of relieving the Government service of superannuation, and at the same time deal justly and fairly with the old workers who must step out, by providing an annuity which will insure reasonable comforts during the few remaining years of their life.

One step was taken in this direction when, on July 3, 1926, Congress amended the retirement law to provide a maximum annuity of $1,000, under which those now retired receive an average of about $721 per annum. The time has arrived when we should take the next step of providing a maximum of $1,200. Even with that maximum, under the bill now before Congress the average annuity will be less than $900. No stronger appeal should be needed for the proposed amendments to the retirement law than our sense of justice and decency in providing for those who have retired or will soon retire after a life of service to their Government. At the best the annuity proposed in this bill will provide only for the urgent necessities of life under present conditions. As it is now under existing law, retirement too often does not mean relief from toil for the aged, but merely that they must step out of a Government position for which they are fitted, if able to work at all, and go out into the world to seek some other sort of employment to supplement the meager annuity received under present conditions. And they can not always find such work, even if they are capable of a few years more of toil.

The situation now is quite similar to that existing on April 5, 1926, when the House Civil Service Committee reported a retirement bill (H. R. 7) providing for a maximum annuity of $1,200, with optional retirement, after 30 years of service, at certain specified ages for each group. In submitting the report on that bill Chairman LEHLBACH concisely and forcefully summed up the situation regarding retirement legislation; and it applies with equal force and logic to the present retirement bill before Congress. He stated:

> The Government is committed to the policy of retirement. Whatever the cost may be, it must be met. The evidence demonstrates that the existing plan is inadequate to secure both to the employees and to the Government the full measure of anticipated benefits. Hence the Government is not receiving full value for its money. By enacting into law the provisions of this bill the present deficiencies will substantially be corrected and the additional expenditure will make productive the total cost. This is true economy. This question must be met. Postponement will merely result in more widespread and intense insistence upon a reformation of the system. Nothing is ever settled until it is settled right. The wise course is to settle the retirement problem now and thereupon insist that it stay settled.

The best illustration of the need of an amendment to the present retirement act can be found in the statement made in support of the amendment by Henry H. Strickland, secretary of the Railway Mail Association:

> The number of railway postal clerks on the retired roll on June 30, 1927, was 1,132 out of a personnel of 20,550 in the Railway Mail Service. The percentage of retirements among this group of employees is higher than in any other branch of the Government service, due to the strenuous character of their work. A railway mail clerk stands on the swaying floor of a rapidly moving mail car and works continuously from 12 to 16 hours without rest. It is work that calls for extreme physical endurance and requires mental alertness at all times in the rapid distribution and dispatch of the mails en route. A railway mail clerk is always fighting against time; making every effort to complete the distribution of the mail before reaching the terminal of his run, in order that it may be dispatched to connecting trains without delay.
>
> Because of the strenuous and hazardous nature of their employment, the retirement age of railway mail clerks was fixed at 62 years of age, three years lower than other groups of postal workers. Not only does the nature of the work cause a high percentage of retirements for age but the percentage of disability retirements are also higher than in any other group of Government employees. Approximately 260 railway mail clerks have been retired on account of total disability since the retirement law become effective in August, 1920. Under conditions of this kind, it is obvious why railway mail clerks are in need of an amendment to the retirement law that will permit them to retire after 30 years of service, even if they can not exercise this option until they reach the age of 60.

BENEFIT TO FARMERS IN MUSCLE SHOALS BILL

Mr. McSWAIN. Mr. Speaker, two groups in the House seem confused about the bill just adopted by both the Senate and the House after conference, relating to Muscle Shoals. Those that have had primarily in mind the object of protecting the fertilizer industry seem to fear that subsection "e" of section 5 as the same passed the House, will make it possible for the corporation to manufacture a "complete fertilizer." They derive this fear from the language to the effect that nitrogen to be manufactured shall be "in such form and in combination with such other ingredients as shall make such nitrogen immediately available and practical for use by farmers in application to soil and crops." They fear that these words "in combination with such other ingredients" will authorize the corporation to combine the nitrogen produced with phosphoric acid and with potash and thus have a complete fertilizer. I respectively submit that the language, in view of the history of the legislation and in view of the other language in the bill, should not be given such broad interpretation. The House adopted the amendments offered by the gentleman from South Carolina [Mr. McMILLAN], striking out the authority to manufacture fertilizers and striking out the authority to construct a fertilizer factory to manufacture phosphoric acid. When the bill went to the conference, as the Norris bill had authority to manufacture fertilizers, the conferees included in their first report authority to manufacture fertilizers.

It was in the power of the conference to do this under the rules. But when the matter came up before the Senate when it came to consider the conference report, it became manifest that the Senate would probably take the House view and would refuse to approve the conference report because it retained the power to manufacture a complete fertilizer. Therefore a motion was made by the proponents of the bill to recommit the same to conference, and upon such conference the authority to manufacture fertilizers as such for sale to the public was stricken out and the bill confined to the fixation of atmospheric nitrogen.

Mr. Speaker, the language "in combination with such other ingredients" does not necessarily mean in combination with other plant foods. Nitrates are a most important and highly valuable plant food, but power or highly concentrated nitrates would not be useful and serviceable to practical farmers. It is necessary that such highly concentrated nitrates should, as it were, be "diluted," and should be combined with other chemical elements used as "carriers" to which the nitrates are "fixed." For instance, nitrate of soda as it comes to this country, is suitable and available for practical use by the farmers in application to the soil and crops. It is true that most frequently it is combined by mixing the same with phosphoric acid and potash. But it is possible to use the same separately and independently of the other two mentioned. In the case of Chilean nitrates, the nitrates are "fixed" to sodium. It is chemically called "sodium nitrate." It is also fixed and combined with certain other minerals, because Chilean nitrates are only about 15 per cent pure nitrogen. In the case of cyanamide, which is about 24 per cent pure nitrogen, the nitrogen is fixed to and in combination with calcium, which is the base of limestone.

Chemists will tell you that numerous other minerals may be used as carriers to which the nitrates may be "fixed," and the corporation will adopt just such carriers as appears most practicable for that purpose. Consequently, the language "in combination with such other ingredients" is obliged to mean in combination with such other minerals as under the circumstances will constitute a useful and beneficial "carrier," so as to make the "nitrates available" when mixed with the soil and placed near the plants.

Mr. Speaker, in this connection I wish to give credit to the services rendered by the gentleman from South Carolina [Mr. McMILLAN] in connection with this matter. It was upon his motion that the word "fertilizers" was originally stricken from the bill, and many seemed to think at the time that such action was fatal to the project to use Muscle Shoals power for the benefit of agriculture. But I never thought so, and stated to the friends of the bill that, in my judgment, the motion of Mr. McMILLAN, in view of the numerous forces fighting the bill, might ultimately prove useful in the final passage of the bill. It is now manifest that if the bill could have passed the House as reported by the committee it probably never could have passed the Senate. Furthermore, after the adoption of the amendments offered by Mr. McMILLAN, he generously supported the bill in every other respect and urged and appealed to his friends to support it. Then, when the conference report came up for consideration to-day, Mr. McMILLAN spoke en-

thusiastically for the bill as reported by the conference. It is manifest to anyone understanding the true situation that the power given to the Muscle Shoals corporation to manufacture nitrates will not prove harmful in the least to the fertilizer manufacturers in this country and may indirectly prove beneficial to them.

The reason is this: The fertilizer manufacturers do not manufacture nitrogen but buy the greater part of the same from Chile and buy the rest either from Canada or from the small producers of sulphate of ammonia in this country. The fish scrap and meat trimmings are relatively insignificant.

Mr. Speaker, the net result of this bill is to help set free the American people from the monopoly that Chile has upon the natural resources of nitrogen. We are annually paying a direct tribute in the form of an export duty of nearly $9,000,000 to the Chilean Government. We are paying over $40,000,000 a year to the producers and shippers of Chilean nitrates. We almost entirely depend upon Chilean nitrates for our ammunition in the event of war. We could not afford to continue thus dependent. For that reason the Government established the great nitrogen fixing plant at Muscle Shoals. That plant can fix perhaps 50,000 tons of pure nitrogen every year, and the cost will be not over 6 cents a pound. We are now paying Chile about $60 a ton for nitrate of soda, which is about 15 per cent pure nitrogen. That means that we pay $60 for about 300 pounds of nitrogen, and that means we are paying about 20 cents a pound. The American Cyanamid Co. is fixing nitrogen at Niagara Falls at about 6 cents a pound. We can fix nitrogen at Muscle Shoals certainly as cheap as 6 cents a pound and perhaps less. If we succeed in fixing it at 5 cents a pound, then our nitrogen will cost us just one-fourth of what we are now paying for same. In other words, instead of paying to the Chilean Government and Chilean producers and shippers about $50,000,000 a year for nitrates, we can get the same at Muscle Shoals for about $12,500,000, or a saving to the American farmer of about $37,500,000. But in addition to that we will save perhaps $15,000,000 more in freight, and thus a total saving of $50,000,000 a year to the American farmers is worth while.

BENEFITS TO FARMERS

Mr. Speaker, the necessity for taking some action at Muscle Shoals is imperative. Talk about economy and common sense, the present condition of affairs at Muscle Shoals is a huge waste and a foolish mismanagement. The reports for the last few months show that the Alabama Power Co. took less than 10 per cent of the available power at the Wilson Dam. The other 90 per cent of the power was worth at the contract price about $8,000 per day. If we could get a reasonable and fair contract price, which should be twice as much as the Alabama Power Co. now pays, then our net revenues from the power being generated at Muscle Shoals would be over $3,000,000 a year. However, the net revenue last year was less than $1,000,000. Hence under the present condition of affairs at Muscle Shoals, we are losing $2,000,000 a year, the farmers are losing $50,000,000 a year on the costs of fertilizers, and the national defense is imperiled and endangered by having the source of our ammunition 6,000 miles away, separated by an ocean on which hostile fleets float, and connected by the Panama Canal, whose locks might be destroyed by a few bombs dropped by an enemy airplane.

Mr. Speaker, I am sure the farmers will derive great benefit from this bill if the President will approve it, or if he should veto it, if we shall be able to pass it over his veto. However, the key to the situation will be in the appointment by the President of the three directors and in the confirmation of those directors by the Senate. But assuming that nitrates shall be manufactured to the limit of the capacity of the plant at a cost of even 6 or 7 cents a pound, pure nitrogen, I am sure that it will prove a saving of forty or fifty million dollars a year to the farmers.

It has been contended by some persons in objection to the bill that the fertilizer manufacturers only will derive any advantage from this bill, because, it is said, they alone will be able to buy and handle the nitrates manufactured at Muscle Shoals and that they will combine these nitrates with phosphoric acid manufactured by themselves and with potash imported from Germany and that they will continue to charge the farmers a price for these finished and complete fertilizers made by agreement among themselves. But, Mr. Speaker, I do not believe that that is possible, and I do not believe that any such result can follow. I have been assured and still believe it to be true that if the $5 a ton tariff duty on sulphate of ammonia should be removed by eliminating that item in the tariff law, that the farmers would get the direct benefit of same. Furthermore, there is certainly enough competition among manufacturers of fertilizers to insure that the price of finished fertilizers will be reduced on account of the reduced cost of nitrates. The fertilizer manufacturers know that the farmers will know the price that they are paying for nitrates. The farmers also know what potash and phosphoric acid cost. Therefore, the farmers can easily tell whether or not the manufacturers are charging a reasonable price as a result of the reduced cost of nitrates. Furthermore, some of the fertilizer manufacturers are bound to compete for business against other manufacturers and will be bound to reduce the price in order to get more trade, and they can afford to reduce the price considerably on account of the reduced cost of nitrates.

But Mr. Speaker, the greatest benefit to the farmer is the fact that he can buy the nitrates himself. The bill as it passed the House provided that the nitrates should be sold first to the farmers, giving the farmers the preference, and then to farmers cooperative associations, and then to States and counties for resale to farmers, and those groups being satisfied, might sell to fertilizer manufacturers, mixers, and merchants. But the farmer that is able to buy a carload of nitrates at Muscle Shoals which will be equal to two carloads of Chilean nitrates, and will be equal to three carloads of ordinary furnished fertilizers, can buy such nitrates for use by himself on his own farm. Furthermore, groups of farmers can combine and buy a carload for their own use. Furthermore, States and counties can do as the State of South Carolina now does, buy many carloads of fertilizer ingredients and mix them and resell them to farmers at cost. Thus, the American Nation for purposes of national defense, and the American farmers will get rid of the monopoly of the Chilean Government and the Chilean producers. That monopoly has been hanging like a millstone around the necks of the American farmers. Furthermore, if the President signs the bill, and if Congress appropriates the money to build the dam at Cove Creek, the power at Muscle Shoals will be doubled, and thus the ability to turn out nitrates can be doubled without prohibitive cost. Furthermore, there will be still vast quantities of power for distribution among the neighboring States, and some of the power can and probably will be distributed through the power systems, and thus affect the power supply in several of the South Atlantic States. Thus, this great development at Muscle Shoals will prove a blessing to the whole southeast section of our Nation.

BENEFITS TO TENNESSEE

But, Mr. Speaker, that State which will receive the most direct and immediate benefits from this bill will be the State of Tennessee. Senators from Tennessee and several of the Representatives in the House have vigorously fought the bill because it contains the provision to build the great reservoir at Cove Creek. It is denied by them that the Government has the right to build that reservoir. I submit that such proposition can not be sustained. The Federal Constitution and laws made in pursuance thereof are supreme in every State, and the Federal Government need not ask the permission of a State to exercise that power in a State. Now, undoubtedly, the Federal Government has a right to increase the efficiency of its national defense project at Muscle Shoals by building the Cove Creek Dam. Undoubtedly the Federal Government has the right, under the exercise of the interstate commerce clause of the Constitution, to improve navigation in the Tennessee River. Undoubtedly the Federal Government itself must decide upon the manner and means by which it will improve such navigation. If the Federal Government decides that to build the Cove Creek Reservoir will be a benefit to navigation in the Tennessee River and in the Clinch River there is no constitutional power in the State of Tennessee to deny it and to prevent it. Furthermore, undoubtedly the Federal Government has the right and duty to exercise flood control as an incident to the control of interstate commerce. Excessive floods on the one hand, and excessive low water on the other, seriously impede interstate commerce on navigable rivers. The high waters prevent navigation and destroy the boats, barges, locks, and wharves, which are the instruments of navigation. Furthermore, the low water makes navigation impossible. Therefore, to impound the waters and release them gradually, thus rendering the volume of water more uniform, is a great aid to navigation.

Now, these are all exercises of Federal power, and the Federal Government must decide when and how and in what manner it will exercise such power. Therefore the oft-repeated statement that the Federal Government has no power to go into a State over the protest of its representatives in Congress in order to exercise a Federal power, such as is to be exercised here, is contrary to our constitutional system.

Mr. Speaker, let me illustrate just the point at issue in this case so far as the State of Tennessee is concerned. Suppose it should be adjudged by the Federal Government, either by

Congress or by any executive department, that the establishment of a great navy yard near the mouth of the Mississippi River was essential to the national defense. Suppose this navy yard involved the use of the waters of the Mississippi River, though still permitting interstate commerce to pass and repass. Suppose the State of Louisiana should say: "You shall not build this navy yard within my borders unless you agree that the same shall be subject to taxation and that I shall have joint control over the waters of the river and that at some time in the future you will surrender that navy yard to me." That would be a parallel case. Suppose, again, that the proper agency of the Federal Government decided that a magnificent fortress and munition factory and arsenal should be built in the State of Pennsylvania on and by the waters of either the Susquehanna River or the Delaware River. Suppose the State of Pennsylvania should say: "You shall not build this fortification for the national defense and this munition factory in order to make the fortification serviceable and this arsenal in order to use the munitions unless you agree to pay taxes on the property and to permit a joint control of the waters of the river alongside of your establishment and agree that at the end of a fixed time the title of the whole project shall pass to the State of Pennsylvania." The case is parallel.

The Federal Government decides, so far as Congress is concerned, that the Cove Creek Dam is essential to both the national defense and to interstate commerce, and the State of Tennessee can not raise its prohibitive finger and prevent the exercise of a Federal power conferred by the Constitution. That question was settled when the State of Tennessee entered the Federal Government, and accepted the Constitution with its supremacy, and agreed that the Federal Government should be the agent of the people of Tennessee as well as the agent of the people of all the States for promoting the national defense and of regulating interstate commerce.

But, Mr. Speaker, it is argued that for the Federal Government to build the Cove Creek Dam and to inundate about 85 square miles of land, to condemn homes and churches and cemeteries, to overflow roads and railroads and require their relocation is in excess of the powers of the Federal Government. It must be remembered, however, Mr. Speaker, that the Federal Government will pay for the land that it overflows, and will doubtless pay well for same. The right of eminent domain exists and must exist in every government. The Federal Government has the right of eminent domain in order to execute its constitutional powers. However, the very persons that raised this protest against inundating homes and creating a great inland lake admit that the dam should be built by some one, and admit that it will be a great blessing to the State and people of Tennessee when it is built. It is furthermore admitted that the State of Tennessee itself will never build this dam. Therefore, unless the Federal Government builds it, it must be built by some private corporation. If it is built by some private corporation, then the State of Tennessee must lend to that private corporation its governmental power of eminent domain in order to acquire title by condemnation to the land that will be overflowed by the waters.

When this private corporation builds the dam and overflows the land, then it will still be the same 85 square miles of water, overflowing the same homes and the same churches and the same cemeteries and the same roads and the same railroads. The private corporation will exercise the same ruthless power over the property rights of the individual that the Federal Government will exercise. The private corporation must pay the property owners just as the Federal Government must pay them. Therefore I ask what difference does it make to the people of Tennessee and the people living within the area to be flooded by the reservoir whether that power is exercised by the Federal Government or by some private corporation operating for profit? If the people of Tennessee will pause for a moment to think they will realize that the Federal Government will treat them more generously than a private corporation will treat them. The able representatives of the State of Tennessee in Congress will be able to influence the Federal Government to exercise a very liberal and exceedingly generous treatment of property owners in the Cove Creek Reservoir area. Doubtless the Federal Government will pay more for the land than a private corporation would. The private corporation will be very economical, because it is private money and it must earn dividends for its stockholders. If the private corporation builds the Cove Creek Dam, then one ninety-fifth part of the whole area of the State of Tennessee will be the exclusive private property of that corporation for all time to come, and will be a private corporation owning a great inland lake. The citizens of Tennessee might find signs posted around that lake such as were posted around Reelfoot Lake in the same State about 30 years ago. The people of Tennessee will find that a private corporation will exercise monopolistic power in order to earn the greatest power from this reservoir. So, I repeat, that the people of Tennessee should pause and think and realize that those of her representatives that see the advantages to be derived by her from the construction of the Cove Creek Dam by the Federal Government are far superior to the advantages to be derived by its construction by a private corporation, are right.

Again, Mr. Speaker, the bill as it now stands requires no contribution from such persons as may build the seven dams that can be built on the Clinch River and the Tennessee River below the Cove Creek Dam. Those dams will be practically doubled in value. Therefore, if the Government builds the Cove Creek Dam, private capital will hurry to build the other seven dams below. The river will be made navigable at all seasons of the year. The bill requires no contribution from those who build the dams below, toward the expenses of building the Cove Creek Dam. Therefore, with navigation and millions of horsepower, the Tennessee River Valley will begin to develop immediately and will soon become a thriving and prosperous section—a beehive of industry from the Cove Creek Dam to the Alabama line, and extending back a distance of 100 miles on each side of the river.

Therefore, Mr. Speaker, the quickest way to have a wonderful wave of development along the Tennessee Valley is for the people of Tennessee to get behind this building of Cove Creek Dam by the Federal Government. If the President should veto the bill, let the people of Tennessee pass resolutions calling upon both Houses of Congress to override the President's veto, so that this great development in Tennessee may commence. The advantage to the people of Tennessee will be a thousand times more than the little taxes to be derived from the land as it now stands, or even from any private corporation that might build a dam. Because the private corporation will operate the dam selfishly for its own interests, and will compel, under the Federal water power act, those who build the dams lower down the river to contribute to the expenses of the Cove Creek Dam, this contribution will virtually offset the increase of power at those lower dams.

The result is that private capital will not be so much encouraged to build those lower dams. The result will be to greatly retard their building, and thus retard the development of the Tennessee River Valley. But if they get behind the Cove Creek project and this bill and help enact this bill into law, then the hum will soon be heard in the Tennessee River Valley. Lands will immediately begin to increase in value; industries will be seeking sites upon which to locate; mineral lands hitherto of little value will jump in price; inaccessible deposits of coal and of phosphate rock will immediately come into contact with the commerce of the world; phosphate rock will float upon the navigable waters of the river down to the Muscle Shoals plant, where private capital will be permitted and encouraged to manufacture phosphoric acid to mix with the Government-made nitrogen and sell to the farmers as cheap fertilizers. These industries in the Tennessee Valley will be worth to the people of Tennessee in a few years hundreds of millions of dollars. The State of Tennessee will tax all these industries and derive enormous revenue therefrom. So, by cooperation with the Federal Government, by encouraging the Federal Government to exercise its great constitutional powers of national defense and of improving navigable rivers, the people of Tennessee will hasten the coming of a glorious day of prosperity and wealth, long dreamed of but never before realized, and whose realization will be long delayed unless complete cooperation is had with the Federal Government in this great Cove Creek project.

Mr. Speaker, some Members of Congress have based their objection to the bill to make reasonable and proper use of the Muscle Shoals project upon the ground that under section 11 the rights of the States are invaded in that if the electric power be sold to any person, firm, or corporation engaged in the sale of electricity for profit, the corporation shall require such purchasing and selling utility company to agree that the retail price to the public shall be at a price not to exceed what is fixed as reasonable, just, and fair by the Federal Power Commission. It is forcibly and fairly argued that this provision is an invasion of the reserved powers of the States, and with that proposal I agree; and, if I thought that the provision were constitutional and could be enforced over the heads of the regulatory and rate-making bodies of the States, I too would vote against the bill on that ground. But I am convinced that the objectionable provision is unconstitutional, and will be so declared by the courts. It will be remembered that the bill reported to the House by the Committee on Military Affairs contains no such provision. When the Norris bill was referred to our committee it was quickly discerned that there was such a provision in it, and I made objection to the same

at that time on several grounds, and a brief extract from the hearings had before that committee and appearing at page 499, the hearing having been held on March 17, 1928, will show the position that I took.

Mr. McSWAIN. Exactly; but it is subject to a proviso that requires a contract on the part of the purchaser of the power, whether State or municipality, not to charge a rate in excess of what will be fixed by the Federal Power Commission. In my judgment, under the circumstances, expressed by Mr. QUIN, the Supreme Court will hold this unconstitutional and void, as in violation of the fourteenth amendment, as denying to the power companies the right to equal protection of the laws, and will upset all of that paragraph.

Senator NORRIS. I have never yet heard its constitutionality questioned. I can not understand what there is about it that is unconstitutional. We have the property; we have the electricity, and we authorize the Secretary of War to sell it under the conditions named in the law. What is wrong?

Mr. McSWAIN. Here is the argument. Suppose he sells it and imposes a condition, and then the buyer goes to retail the power at a rate lower than the Alabama Power Co. is now selling it for and in direct competition with that company. The Alabama Power Co. will come in and say that that is an unequal exercise of governmental power, which deprives it of this horsepower without due process of law, and denies it equal protection of the law of the Federal Government, under the fourteenth amendment, and it is therefore null and void.

The proviso having gone out, the power to exercise—to make a contract—goes with it. The contract must be exercised subject to the proviso.

I believe that this objectionable feature in the bill will defeat the very purpose of those who have advocated it. It was eloquently and enthusiastically advocated by some Members from the near-by States within transmission distance of the Muscle Shoals plant that this provision should be in the law in order to protect the people of those States from the excessive and unreasonable charges that such corporations as the Alabama Power Co. might fix for their service and electric power. The implication from the argument was that the public utility commissions of some of those States are subservient to the Power Trust, or, at least, to certain power companies operating within their respective States. Of course, that is a matter that I know nothing about, but upon general principles I am opposed to conferring power upon any Federal body to regulate rates and other matters within a State. If the State utility commissions are now subservient, it is within the power of the people of the States to change the personnel of these bodies.

I prefer to have my rights passed upon by agencies and officers of the State rather than by some bureau in Washington. The personnel of the bureau in Washington is nonelective and in fact enjoys a virtual life tenure. Of course, the power commission is nominally made up of the Secretary of War, the Secretary of the Interior, and the Secretary of Agriculture. But these gentlemen have so many other duties that they are mere nominal commissioners, and we all know that the actual work and decisions are controlled by an executive director, a single person. This same person has held the office of executive director since the establishment of the commission after the passage of the law itself on June 10, 1920. Those that expect relief from any rate fixing by the Federal Power Commission are thus exchanging their own State commissions, made up of three or more persons, either elected by the people of the States or elected by the State legislatures, or appointed by the governors, subject to removal, for a commission in Washington made up of three Cabinet members, all too busy to see after details, and therefore everything is left to a single continuing executive officer. It seems to me that the chances are altogether in favor of fairer rates and better prices for the people when appealing to their several State rate-making bodies. Furthermore, the chances are that the rates prescribed by the Federal Power Commission will be higher than those fixed by the State utility commissions. At any rate, I think that the provision is utterly vain, useless, and may be harmful. But, believing the objectionable clause to be unconstitutional, I could support the bill as a whole, due to its other highly important, and in fact, imperative features.

We are so urgently in need of an abundant domestic supply of nitrates for both national defense and for agriculture that I was constrained to approve the bill as amended and as reported to the House by the conferees. Legislation is a compromise and no single legislator can get everything that he wants, and in order to get part of what he wants, he ofttimes must accept something that he does not want. If a legislator occupies a purely negative attitude, always seeking for and finding some excuse to vote against a measure, he will never be able to accomplish any constructive service for his constituents and his country.

Again, Mr. Speaker, it has been strenuously and earnestly argued that the provision authorizing the construction by the United States of the Cove Creek Dam for the promotion of national defense and in aid of navigation and flood control would be a contravention of the policy set out in the Federal water power act of June 10, 1920. It is insisted that said Federal water power act recognizes a joint interest and joint control as between the Federal Government and the State Government, through whose borders the navigable stream passes. It is true that under the Federal water power act if a private corporation desires to build a power dam in and across a navigable stream, it must first obtain the preliminary permit and then the license of the Federal Power Commission, and, that being obtained, it must next obtain the permission and authority of the States. This permission of the State is necessary for several reasons. First, the corporation itself must either be chartered by the State, or if it be a foreign corporation, it must receive the permit of the State to do business within its borders.

In the next place, it must recognize that the State itself has a certain interest in the stream and that the State and the citizens of the State have the right to use the stream as a means of transportation. Furthermore, if the corporation must exercise the power of condemnation, and it is practically certain that no power development could ever be made without the right of condemnation on the part of the power company, it is necessary that the State lend to such corporation the right to exercise its own power of eminent domain. But it must not be overlooked that we have here been dealing with the improvement and development by a private corporation of a power property in a navigable stream and within a State.

But Mr. Speaker, when the Federal Government itself comes to deal with the development and improvement of a navigable stream, for the execution of its own constitutional functions, it need not consult the State. If it must consult the State, then the State might refuse its consent, and if the State could refuse its consent to the Federal Government to exercise its constitutional powers, the State might completely paralyze and thus destroy the Federal Government. The Federal water power act itself recognizes such a project as is contemplated by the dam to be constructed at Cove Creek. The following definition is given in the Federal water power act:

"Government dam" means a dam or other work constructed or owned by the United States for Government purposes with or without contribution from others.

Again anticipating just such a situation as has arisen at Cove Creek in Tennessee, the Federal water power act contains the following provision in subsection D of section 4:

Whenever the contemplated improvement is, in the judgment of the commission, desirable and justified in the public interest for the purpose of improving or developing a waterway or waterways for the use or benefit of interstate or foreign commerce, a finding to that effect shall be made by the commission and shall become a part of the records of the commission: *Provided further,* That in case the commission shall find that any Government dam may be advantageously used by the United States for public purposes in addition to navigation, no license therefor shall be issued until two years after it shall have reported to Congress the facts and conditions relating thereto.

Again the Federal water power act contemplates the construction of reservoirs by the Federal Government and contains the following right of assessment against any person that might construct a dam below such reservoir and that might be benefited thereby:

Whenever such reservoir or other improvement is constructed by the United States the commission shall assess similar charges against any licensee directly benefited thereby, and any amount so assessed shall be paid into the Treasury of the United States, to be reserved and appropriated as a part of the special fund for headwater improvements as provided in section 17 hereof.

Fortunately for the State of Tennessee the bill as the same passed Congress does not require any contribution by any of the seven dams that may be built below Cove Creek (and all would be doubled in value thereby) to contribute anything to the cost of building Cove Creek Dam. The reason for this is that it is the duty of the Federal Government to improve navigation and to exercise flood control. Therefore it is proposed by the bill that passed Congress to charge up the total cost of constructing the Cove Creek Dam to flood control and navigation and to such benefits as the Government dams at Wilson Dam and at Dam No. 3, when built, would receive, and to give the seven owners of the dams below Cove Creek the benefit and advantage of such improvement in the power to be developed at such dams and not to charge to the owners

of such dams any cost of contribution whatsoever. That is an enormous advantage to the State of Tennessee.

Consequently the proposition that there was contemplated a joint authority to license and a joint control as between both the Federal Government and the State government when the Federal Government itself constructs the dam or reservoir for public purposes is unwarranted and unfounded in either the Constitution itself or in the Federal water power act.

MONUMENT TO ALBERT GALLATIN

Mr. CELLER. Mr. Speaker, under the leave to extend my remarks in the RECORD, I include the following:

MAY 17, 1928.

To the EDITOR:

The last Congress authorized the erection of a monument to Albert Gallatin at the north entrance of the Treasury Building. Ten thousand dollars was appropriated for the pedestal, but the statue was to be paid out of a fund to be raised by public subscription.

The passage of the bill was hailed with delight. I, personally, argued for its favorable consideration on the floor of the House. At last Gallatin, great Secretary of the Treasury, under Presidents Jefferson and Madison, was to come into his own. A grateful country was to give well-deserved honor to the memory of her adopted son—"adopted" because Gallatin had been born in Switzerland. He was a "citizen by choice." Alexander Hamilton, another great Secretary of the Treasury, another "citizen by choice" because of his birth in the West Indies, had already been signally honored by the erection of a statue at the south entrance. Gallatin, at the north entrance of the Treasury Building, was to be a companion piece.

How fitting it is that these two statesmen, although opposed in political principle and doctrine but who nevertheless united to place the financial credit of the Union upon the strongest basis, should now be remembered by memorials, each gracing the opposite entrances of the famous building housing the department in which they rendered yeoman service! Even so, England has honored Fox and Pitt as they rest side by side in Westminster Abbey. Senator WALSH pointed out that they lie so close that it has been beautifully said:

"The mighty chiefs sleep side by side.
Drop upon Fox's grave the tear—
'Twill trickle on his rival's bier."

But almost a year has gone by since the passage of the Gallatin resolution. Popular subscription has not brought forth the money for the monument. It seems as though the passage of the bill were a mere "Beau Geste."

No great public interest has been aroused, although Mr. Perry Belmont tried earnestly to interest certain people in the project. He now heads the list of subscriptions with $1,000. Frazier, who sculptured the Hamilton Monument, has now been tentatively selected for the Gallatin figure.

Of course, Gallatin's fame does not bite into our history like Hamilton's. He did not meet an untimely death by fighting a duel with Burr. That duel has made Hamilton a sort of legendary character, but Gallatin's achievements are as worthy as Hamilton's. He held the portfolio of the Treasury longer than any other man. He fashioned the financial policy of the young Government for 12 years, for the two terms of Jefferson and for the first term of Madison, and well into the second. It was his ingenuity and skill that prevented financial chaos during the War of 1812. He had been a Member of Congress and later a United States Senator, and was among the first to advocate the abolition of slavery.

He also achieved greatness in the field of diplomacy, where he remained for 16 years, even during the administration of John Quincy Adams, to whom he was opposed politically. In the thirteenth year of his service in the Cabinet as Secretary of the Treasury, Madison sent him to St. Petersburg to enlist the interest of the Czar in connection with peace with Great Britain. His mission ended with the treaty of Ghent. He became minister to France and then minister to Great Britain. He later became a successful banker and founded the National City Bank of New York. When he was 80 years of age he was again offered the office of Secretary of the Treasury. In 1830 he became one of the prime movers in the establishment of what was then known as the University of the City of New York, now New York University. A year later he became its first president.

We are indeed ungrateful if we do not erect the monument that Congress authorized. We are prone to castigate public characters, living and dead, for their errors. Here is an opportunity to honor a real peace-time hero, a statesman to the nth degree, whose life was dedicated to his country's service.

The statute will cost $40,000, $20,000 of which is to be raised in New York and $20,000 in Pennsylvania. I ask all patriotic New Yorkers to contribute.

Grover Cleveland, I believe, said of monuments erected to certain men, that he would rather have it said, "Why was not a statue erected to him?" than "Why was a statue erected to him?" A statue to Gallatin will never be questioned. It will always be applauded.

Contributions should be sent to Col. Thomas H. Birch, 6 East Seventy-sixth Street, New York City, or to my office, room 466 A, House Office Building, Washington, D. C.

Representative EMANUEL CELLER,
Tenth Congressional District, Brooklyn, N. Y.

ARMY HOUSING PROGRAM

Mr. JAMES. Mr. Speaker, during the first session of the Seventieth Congress, which is coming to a conclusion to-day, the Army housing program has been carried forward in what I think we should all consider a highly satisfactory manner. The bills H. R. 13825 and H. R. 11469, which have just passed the House, carry an authorization for a total of $14,809,260. This amount, together with other authorizations passed during the present session and already approved by the President, provides housing for the following personnel of the Army:

Officers	941
Noncommissioned officers	1,160
Enlisted men	9,877
Patients in hospitals	664
Nurses	264

Including the amount which is carried in these bills—which now go to the Senate for action—Congress has authorized since the beginning of the present Army housing program, in March of 1926, a total of $53,026,285 for Army housing construction. Of this amount, $20,839,975 has already been appropriated by Congress. The Secretary of War has been authorized to enter into contracts for an additional $4,585,100. Of the remainder, $12,791,950 has been authorized and is awaiting appropriation, and of the balance $14,200,260 is in H. R. 13825 and $609,000 is in H. R. 11469. Both of the last bills have just passed the House.

This $53,026,285 will provide housing for the following Army personnel:

Officers	1,190
Noncommissioned officers	1,355
Enlisted men	25,413
Patients in hospitals	1,897
Nurses	311

The above statement indicates that the money so far authorized has been for the purpose of providing quarters and hospital accommodations for the officers and enlisted men of the Army and their families, and it will readily be seen that splendid progress is being made in this work. Until these needs for quarters are very fully met, little or no progress can be made with those features of the Army housing program which include stables, warehouses, administration buildings, school buildings, and other necessary structures and buildings that go to make up an Army post.

It is interesting to note that the money included in the above authorizations has been distributed to meet the needs at 53 Army posts, including stations, not only in all parts of the United States but in Porto Rico, the Canal Zone, and Hawaii. Just what has been done for each one of these 53 stations is found in the following detailed statement for each post.

1. ALBROOK FIELD, CANAL ZONE

The following amounts are provided for this station:

Barracks to accommodate 650 enlisted men	$560,000
Quarters to accommodate 90 noncommissioned officers	539,000
Quarters to accommodate 70 officers	778,000
Dispensary	30,000

This is a new flying field which is being developed on the Pacific side of the Canal Zone, and it will be the station of a wing headquarters and a pursuit group.

2. CORUNDU, CANAL ZONE

The following amounts are provided for this station:

Barracks to accommodate 500 enlisted men	$357,500

This is also a new station in the Canal Zone which will be garrisoned by troops of the Field Artillery.

3. FRANCE FIELD, CANAL ZONE

The following amounts are provided for this station:

Barracks to accommodate 370 enlisted men	$360,000
Quarters to accommodate 57 noncommissioned officers	390,000
Quarters to accommodate 50 officers	500,200
Dispensary	30,000

France Field is on the Atlantic side of the Canal Zone and is being completed under the five-year Air Corps program. This station is now partially developed, but there is a shortage of quarters for officers and noncommissioned officers. The amounts herein authorized will provide permanent barracks for the enlisted men assigned to this station.

4. FORT KAMEHAMEHA, HAWAIIAN DEPARTMENT

The following amounts are provided for this station:

Barracks to accommodate 65 enlisted men	$35,000

The permanent quarters at this station prior to the inauguration of the Army housing program accommodated:

Enlisted men	1,061
Noncommissioned officers	29
Officers	40

This station is the headquarters of the harbor defenses of Pearl Harbor, and is garrisoned primarily by troops of the Coast Artillery Corps. It is on land near this post where a new flying field will be developed under the five-year Air Corps program. The authority to acquire the land for this flying field was contained in a bill which recently passed Congress.

5. SCHOFIELD BARRACKS, HAWAIIAN DEPARTMENT

The following amounts are provided for this station:

Barracks to accommodate 1,150 enlisted men	$830,000
Quarters to accommodate 43 noncommissioned officers	172,000
Quarters to accommodate 27 officers	300,000
Hospital of 400 beds	900,000
Quarters to accommodate 28 nurses	65,000

Schofield Barracks is one of the largest posts in the Army, and is the station of the Hawaiian Division, which is composed of troops of all arms of the line of the Army. The permanent quarters which existed at this station prior to the inauguration of the Army housing program accommodated:

Enlisted men	7,000
Noncommissioned officers	38
Officers	275

6. WHEELER FIELD, HAWAIIAN DEPARTMENT

The following amounts are provided for this station:

Barracks to accommodate 432 enlisted men	$504,000
Quarters to accommodate 88 noncommissioned officers	411,600
Quarters to accommodate 58 officers	816,000
Dispensary	40,000

This is a new flying field, and the above funds provide for the first permanent construction at this field. They are sufficient to complete the requirements for barracks, noncommissioned officers' quarters, and hospitalization for this station. An additional $458,000 is required to complete the housing program at this station. It was at Wheeler Field that Maitland and Hegenberger and the Dole flyers landed after their flight across the Pacific Ocean from Oakland, Calif. At that time the field was so limited in area that their plane could not have taken off with a proper degree of safety with a full load. This condition, however, will be rectified before the construction program at this field is completed. I arrived in Honolulu shortly after the completion of the Maitland flight, and I had the privilege of flying over the islands in that historic plane. It afforded me a wonderful opportunity to get a bird's-eye view of our defense system there.

7. SAN JUAN, PORTO RICO

The following amounts are provided for this station:

Barracks to accommodate 270 enlisted men	$20,000
Quarters to accommodate 5 noncommissioned officers	30,000
Quarters to accommodate 24 officers	240,000
Alteration of a hospital	10,000

Porto Rico is the station of the Sixty-fifth Infantry and some other auxiliary troops. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,006
Noncommissioned officers	4
Officers	6

The necessity for completing the housing requirements for officers and noncommissioned officers and their families in Porto Rico is very great, as it is in all of our other tropical possessions. Where it is hot the year around our people who are used to colder climates should be quartered in suitable and comfortable buildings. An additional $449,000 is still needed to complete the housing program in Porto Rico.

8. ABERDEEN PROVING GROUND, MARYLAND

The following amount is provided for this station:

Hospital to accommodate 12 patients	$60,000

This is the proving ground for the Ordnance Department of the Army. The garrison at this station consists of officers and enlisted men of the Ordnance Department and some of the auxiliary services.

The above amount will complete the hospital requirements for this station and make ample provision for the accommodation of the medical enlisted personnel, but an additional $294,500 is needed to complete the housing program.

9. ALCATRAZ ISLAND, CALIF.

The following amounts are provided for this station:

Complete the utility building	$15,000

This is the station of the Pacific branch of the United States disciplinary barracks. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	350
Noncommissioned officers	11
Officers	6

Approximately $201,500 is still needed to complete the housing program on this island.

10. FORT BENJAMIN HARRISON, IND.

The following amounts are provided for this station:

Quarters to accommodate 8 noncommissioned officers	$54,000
Service club	50,000
Barracks to accommodate 447 enlisted men	400,000

This is the station of the Eleventh Infantry and the Third Field Artillery and some troops of other branches. A school for bakers and cooks is also located at this station. The permanent quarters at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	900
Noncommissioned officers	8
Officers	48

11. FORT BENNING, GA.

The following amounts are provided for this station:

Barracks to accommodate 2,485 enlisted men	$1,490,000
102 sets of noncommissioned officers' quarters	656,000
38 sets of officers' quarters	484,000
Complete hospital for 250 patients	315,000
Quarters to accommodate 24 nurses	65,000
Dispensary	60,000

These amounts will complete the hospital requirements and the nurses' quarters. This is the station of the Infantry School, the largest special service school in the Army. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Noncommissioned officers	10
Officers	71
Patients in hospital	102

At Fort Benning I was very much impressed with how much the troops have done for themselves in the way of providing quarters for themselves in addition to those authorized by Coogress. In fact, during my 25,000-mile inspection trip I was forcibly struck by the fact that the Army is resourceful and the officers and men, as well as their families, have the happy faculty of making themselves comfortable even under the most adverse conditions.

12. FORT BLISS, TEX.

The following amounts are provided for this section:

Quarters to accommodate 75 noncommissioned officers	450,000

This is the station of the headquarters and a large part of the First Cavalary Division and various auxiliary troops. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated—

Enlisted men	1,132
Noncommissioned officers	8
Officers	110

13. BOLLING FIELD, WASHINGTON, D. C.

The following amounts are provided for this station:

Barracks to accommodate 300 enlisted men	$240,000

There is also carried in the bill which just passed the House an authorization of $666,000 to acquire real estate adjacent to Bolling Field for the necessary extension and development of this flying field. This is a new flying field and these funds will provide the first permanent construction at this post.

14. FORT BRAGG, N. C.

The following amounts are provided for this station:

Barracks to accommodate 1,440 enlisted men	$1,118,000
Quarters to accommodate 46 noncommissioned officers	291,000
Quarters to accommodate 56 officers	780,000
Quarters to accommodate 25 nurses	60,000
Hospital ward to accommodate 30 patients	100,000

This is a large training area for the Field Artillery and is the station of the headquarters of the Thirteenth Field Artillery Brigade as well as troops of some of the auxiliary arms of the service. It is a new station that is being developed since the World War. No permanent quarters existed at this station prior to the inauguration of the present Army housing program.

15. CARLISLE BARRACKS, PA.

The following amount is provided for this station:

Mess hall and kitchen	$110,000

Carlisle Barracks is the station of the Medical Field Service School and also of the First Medical Regiment. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated—

Enlisted men	449
Noncommissioned officers	2
Officers	36

An additional $330,000 will complete the housing program at this station.

16. CHANUTE FIELD, ILL.

The following amounts are provided for this station:

Barracks to accommodate 163 enlisted men	$150,000
Quarters to accommodate 5 officers	70,000

This is a new flying field, and these funds provide the first permanent construction at this post. This is the station of the Air Corps Technical School, and is one of the very important stations to be developed in carrying out the five-year Air Corps program. It is at this school where both officers and enlisted men are instructed in photography and various mechanical and electrical specialties.

17. CRISSY FIELD, CALIF.

The following amounts are provided for this station:

Barracks to accommodate 165 enlisted men	$158,400
Quarters to accommodate 20 noncommissioned officers	144,000
Quarters to accommodate 10 officers	150,000

Crissy Field is located at the Presidio of San Francisco, Calif., and is the station of the Third Division Air Service. The permanent quarters which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	160
Noncommissioned officers	11
Officers	25

Approximately $194,000 is still needed to complete the housing program at Crissy Field.

18. CAMP DEVENS, MASS.

The following amounts are provided for this station:

Barracks to accommodate 970 enlisted men	$800,000
Quarters to accommodate 21 noncommissioned officers	136,000
Quarters to accommodate 23 officers	314,000
Hospital of 105 beds	400,000

This is a new post, which is being developed since the World War. It is the station of the Thirteenth Infantry and troops of some of the auxiliary arms of the service, and is a large training center for civilian components of the Army. The above amounts will complete the requirements for barracks, noncommissioned officers' quarters, and hospitalization, but an additional $285,000 is needed to fully complete the housing program. No permanent quarters existed at this post prior to the inaugration of the present Army housing program.

19. FORT DOUGLAS, UTAH

The following amounts are provided for this station:

Quarters to accommodate 8 noncommissioned officers	$54,000
Quarters to accommodate 6 officers	75,000

These amounts will complete the requirements for noncommissioned officers and officers at this station and another $68,000 will complete the housing program. This is the station of the headquarters of the Sixth Infantry Brigade and some other troops of the auxiliary arms of the service. The permanent quarters which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,269
Noncommissioned officers	12
Officers	40

20. EDGEWOOD ARSENAL, MD.

The following amount is provided for this station:

Quarters to accommodate 10 officers	$90,000

This completes the requirements for officers' quarters at this post, and an additional $281,500 will complete the housing program. This is the station of the Chemical Warfare Depot, the Chemical Warfare Service School, and the headquarters of the First Gas Regiment, as well as some detachments of other branches of the service. The permanent quarters which existed at this post prior to the inauguration of the present Army housing program accommodated:

Officers	79
Noncommissioned officers	8
Patients in hospital	160

21. ERIE ORDNANCE DEPOT, OHIO

The following amounts are provided for this station:

Barracks to accommodate 50 enlisted men	$47,000
Hospital to accommodate 15 patients	75,000

This is an Ordnance Department post and adjoins Camp Perry, Ohio, and the hospital there is used for persons attending the national rifle matches and those attending training camps at Camp Perry. The permanent hospital accommodations must be such to permit of the treatment of the seriously sick and injured.

The above amounts will fully meet these requirements, but an additional $31,000 is needed to complete the housing program.

22. FORT HUMPHREYS, VA.

The following amounts are provided for this station:

Barracks to accommodate 935 enlisted men	$740,000
Quarters to accommodate 72 noncommissioned officers	454,000

These amounts will complete the requirements for barracks and noncommissioned officers' quarters at this post. This is a new post which is being developed since the World War. It is the station of the Engineer Special Service School. There was no permanent construction at this station prior to the inauguration of the present Army housing program. I might state, however, that semipermanent quarters for some officers exist at this station which will not require replacement for a number of years.

23. FORT JAY, N. Y.

The following amounts are provided for this station:

Hospital to accommodate 100 patients	$400,000
Barracks to accommodate 1,571 enlisted men	1,686,000

These amounts will complete the requirements for barracks and hospitalization at this post. This is the station of the headquarters of the Second Corps Area and the Sixteenth Infantry and some troops of the auxiliary arms. It is also the station of the United States Disciplinary Barracks. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Noncommissioned officers	46
Officers	100

24. LANGLEY FIELD, VA.

The following amounts are provided for this station:

Barracks to accommodate 798 enlisted men	$764,160
Quarters to accommodate 80 noncommissioned officers	516,000
Quarters to accommodate 32 officers	480,000
Hospital to accommodate 55 patients	175,000

The bill which has just passed the House also authorized $200,000 for the construction of a sea wall and fill. This is the station of the Air Corps Tactical School, second wing headquarters, Nineteenth Airship Company, Fifty-eighth Service Squadron, and the headquarters of the second bombardment group, as well as other special troops. The permanent quarters at this station will house:

Enlisted men	17
Noncommissioned officers	22
Officers	98

25. FORT LEAVENWORTH, KANS.

The following amounts are provided for this station:

Hospital ward to accommodate 22 patients	$75,000

This completes the requirements for hospitalization at this post, but an additional $312,300 is still needed to complete the housing program. Fort Leavenworth is the station of the Command and General Staff School and of certain special and technical troops. It is to the Command and General Staff School where officers of all branches of the Army are sent after completing the courses in their special service schools for instruction in the duties of the commanders and staff officers of the division and other large military organizations which are composed of troops of all arms. The permanent quarters which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	951
Noncommissioned officers	52
Officers	375

26. UNITED STATES DISCIPLINARY BARRACKS, FORT LEAVENWORTH, KANS.

The following amount is provided for this station:

Hospital to accommodate 140 patients	$125,000

This completes the housing program at this post. This is the station of the United States Disciplinary Barracks. The permanent quarters which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	485
Officers	30
Noncommissioned officers	46

27. FORT LEONARD WOOD, MD.

The following amounts are provided for this station:

Barracks to accommodate 1,242 enlisted men	$1,010,000
Quarters to accommodate 32 noncommissioned officers	200,000
Quarters to accommodate 34 officers	460,000
Hospital to accommodate 75 patients	300,000
Quarters to accommodate 17 nurses	40,000

This post was known as Camp Meade during and following the World War. Its name has recently been changed in honor

of the distinguished soldier who died only a short time ago. It it a new post which is being developed since the World War, and besides being the station of the Tank School and the headquarters of an Infantry brigade it is a large training area for civilian components of the Army. There were no permanent quarters at this station prior to the inauguration of the present Army housing program.

28. LETTERMAN GENERAL HOSPITAL, CALIF.

The following amounts are provided for this station:

Hospital ward to accommodate 174 patients	$200,000
Quarters to accommodate 18 nurses	70,000

This is the beginning of a development program for this general hospital. The permanent quarters which existed at this hospital prior to the inauguration of the present Army housing program accommodate:

Noncommissioned officers	6
Officers	9
Patients	750

29. FORT LEWIS, WASH.

The following amounts are provided for this station:

Barracks to accommodate 2,083 enlisted men	$1,650,000
Quarters to accommodate 30 noncommissioned officers	191,000
Quarters to accommodate 25 officers	337,000
Quarters to accommodate 9 nurses	32,000
Hospital to accommodate 87 patients	350,000

These amounts will complete the requirements for barracks, nurses' quarters, and hospitalization at this post. This is a new post and no permanent quarters existed there prior to the inauguration of the present Army housing program. This is the station of the headquarters of the Third Division and certain special and tactical troops. It is also a large training center for civilian components of the Army.

30. MARCH FIELD, CALIF.

The following amounts are provided for this station:

Barracks to accommodate 688 enlisted men	$550,000
Quarters to accommodate 39 noncommissioned officers	250,800
Quarters to accommodate 60 officers	750,000
Hospital to accommodate 45 patients	150,000

The above amounts will complete the requirements for barracks at this point. This is a new flying field which is being utilized temporarily as one part of the Primary Flying School for the Air Corps. Under existing plans this section of the Primary Flying School will ultimately be transferred to the new flying field at San Antonio, and March Field will then become a station for tactical units of the Air Corps and certain special and tactical troops. There were no permanent quarters at this station prior to the inauguration of the present Army housing program.

31. MARSHALL FIELD, KANS.

The following amounts are provided for this station:

Barracks to accommodate 132 enlisted men	$125,000
Quarters to accommodate 20 noncommissioned officers	144,000
Quarters to accommodate 20 officers	300,000

This is the station of the Second Cavalry Division Air Service. It is located at Fort Riley, Kans. It is a new flying field and no permanent construction existed at this field prior to the inauguration of the present Army housing program. An additional $275,000 will complete the housing program at this field.

32. MAXWELL FIELD, ALA.

The following amounts are provided for this station:

Barracks to accommodate 162 enlisted men	$130,000
Quarters to accommodate 13 noncommissioned officers	70,000
Quarters to accommodate 23 officers	340,000

This is the station of the Fourth Division Air Service and certain special and technical troops. It is a new flying field and no permanent construction existed at this post prior to the inauguration of the present Army housing program.

33. CAMP M'CLELLAN, ALA.

The following amounts are provided for this station:

Barracks to accommodate 349 enlisted men	$300,000
Quarters to accommodate 7 noncommissioned officers	48,000
Quarters to accommodate 18 officers	225,000
Hospital to accommodate 30 patients	100,000

The above amounts will complete the requirements for officers' quarters and hospitalization at this camp, but an additional $335,500 is needed to complete the housing program. Camp McClellan was originally purchased as a Field Artillery training area for the National Guard. In addition to being the station of Infantry troops, it is utilized as a training center for civilian components of the Army. No permanent construction existed at this camp prior to the inauguration of the present Army housing program.

34. FORT M'PHERSON, GA.

The following amount is provided for this station:

Completion of the hospital	$150,000

This is the station of the headquarters of the Fourth Corps Area and of the Seventeenth Infantry and of certain special and technical troops. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	714
Noncommissioned officers	8
Officers	64

An additional $269,500 is still needed to complete the housing program.

35. MITCHEL FIELD, N. Y.

The following amounts are provided for this station:

Barracks to accommodate 705 enlisted men	$567,000
Quarters to accommodate 50 noncommissioned officers	336,000
Quarters to accommodate 44 officers	660,000
Hospital to accommodate 36 patients	150,000

The above amounts will complete the requirements for barracks and hospitalization at this post. This is the station of the First Division Air Service and other tactical units of the Air Corps and some special and technical troops. It is a new flying field and there was no permanent construction at the post prior to the inauguration of the present Army housing program.

36. FORT MONMOUTH, N. J.

The following amounts are provided for this station:

Barracks to accommodate 860 enlisted men	$555,000
Quarters to accommodate 18 noncommissioned officers	115,000
Quarters to accommodate 52 officers	672,000
Hospital of 27 patients	100,000

The above amounts will complete the requirements for barracks and hospitalization at this station. This is the station of the Signal Corps Special Service School. It is a new station that has been developed since the World War and no permanent construction existed there prior to the inauguration of the present Army housing program.

37. FORT MONROE, VA.

The following amount is provided for this station:

Quarters to accommodate 36 officers	$468,000

This is the station of the headquarters of the Third Coast Artillery District, the harbor defenses of Chesapeake Bay, and of the Coast Artillery Special Service School. The permanent construction which existed at Fort Monroe prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,234
Noncommissioned officers	81
Officers	119

An additional $274,000 is still needed to complete the housing program.

38. CAMP NORMOYLE, TEX.

The following amount is provided for this station:

Barracks to accommodate 206 enlisted men	$180,000

This is the station of a large quartermaster depot and of the Third Motor Repair Battalion and of some special and technical troops. It is a new station, which is being developed since the World War, and no permanent construction existed there prior to the inauguration of the present Army housing program.

39. PLATTSBURG BARRACKS, N. Y.

The following amounts are provided for this station:

Barracks to accommodate 54 enlisted men	$45,000
An addition to the post hospital to accommodate 12 patients	55,000

This is the station of the Twenty-sixth Infantry and some special and technical troops.

The above amount completes the hospital requirements at this station. The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	910
Noncommissioned officers	22
Officers	43
Patients in the hospital	36

40. PRESIDIO OF SAN FRANCISCO, CALIF.

The following amount is provided for this station:

For a chapel	$40,000

This completes the housing program for this post.

The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	3,030
Noncommissioned officers	137
Officers	120

At the Presidio is located the headquarters of the Ninth Corps Area, the Thirtieth Infantry, and their military activities.

41. RARITAN ARSENAL, N. J.

The following amounts are provided for this station:

Quarters to accommodate 7 noncommissioned officers	$42,000
Hospital to accommodate 10 patients	50,000

This is an ordnance post. The amount authorized above will complete the hospital requirements and will give appropriate housing for the medical enlisted personnel, but an additional $362,500 is needed to complete the housing program at this post.

This is a new station and the funds here authorized will provide the first permanent quarters.

42. FORT RILEY, KANS.

The following amounts are provided for this station:

Quarters to accommodate 21 noncommissioned officers	$125,000
Quarters to accommodate 41 officers	523,000

This will complete the noncommissioned officers' quarters requirements at this station.

This is the station of the Cavalry Special Service School.

The permanent quarters which existed at Fort Riley prior to the inauguration of the present Army housing program accommodated:

Elisted men	2,319
Noncommissioned officers	54
Officers	132

43. ROCKWELL FIELD, CALIF.

The following amounts are provided for this station:

Barracks to accommodate 300 enlisted men	$240,000
Quarters to accommodate 28 noncommissioned officers	186,000
Quarters to accommodate 26 officers	350,000

This is the station of an Air Corps depot and of tactical and technical troops of the Air Corps.

The permanent quarters which existed at this flying field prior to the inauguration of the present Army housing program accommodated:

Officers	4
Patients in the hospital	46

44. FORT SAM HOUSTON, TEX.

The following amounts are provided for this station:

Quarters to accommodate 23 noncommissioned officers	$150,000
Quarters to accommodate 18 officers	250,000
Barracks to accommodate 2,679 enlisted men	2,170,000
Post signal communication central building	30,000

The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	2,732
Noncommissioned officers	22
Officers	145

Fort San Houston is one of our largest military posts. It is the station of the headquarters of the Eighth Corps Area, of the Second Division, and of many other military activities.

45. SAN ANTONIO PRIMARY TRAINING SCHOOL, SAN ANTONIO, TEX.

The following amounts are provided for this station:

Barracks to accommodate 1,300 enlisted men	$2,371,950
214 sets of noncommissioned officers' quarters	1,141,200
246 sets of officers' quarters	3,170,000
Hospital of 90 beds	200,000
Magazine (explosive)	15,000
Quartermaster warehouse	90,000
Garage for Government transportation	80,000
Quartermaster maintenance building	20,000
Fire house	15,000
Guardhouse	30,000
Post exchange	45,000
Theater and gymnasium	60,000
Incinerator	5,000
Railroad spur and tracks	39,700
Telephone and telegraph lines in conduit	68,375
Bakery	10,000
Chapel and school	50,000
Enlisted men's club	60,000
Officers' mess	60,000

This is a new station, the site for which has just been acquired in accordance with authority granted by this present Congress. It is to be the station of the Primary Flying School, the two parts of which are now located at Brooks Field, Tex., and March Field, Calif. If the air space above this field is found to be sufficient, it will also be the station of the Advanced Flying School.

46. SCOTT FIELD, ILL.

The following amounts are provided for this station:

Quarters to accommodate 21 noncommissioned officers	$150,000
Barracks for 100 men	100,000

This is a new field and the funds here authorized provide for the first permanent construction.

This is the station of the Air Corps Balloon and Airship School and of some special and technical troops.

47. SELFRIDGE FIELD, MICH.

The following amounts are provided for this station:

Barracks to accommodate 700 enlisted men	$570,000
Quarters to accommodate 78 noncommissioned officers	510,400
Quarters to accommodate 56 officers	787,000
Hospital of 30 beds	100,000

This completes the barrack and hospital requirements of this station. This is a new flying field and the funds authorized above provided the first permanent construction.

This is the station of the first pursuit group and of some other tactical organizations of the Air Corps.

48. FORT SILL, OKLA.

The following amount is provided for this station:

Quarters to accommodate 6 officers	$72,000

The permanent construction which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,426
Officers	66
Noncommissioned officers	40
Patients in hospital	60

This is the station of the Field Artillery Special Service School, the First Field Artillery, and certain special and technical troops.

49. FORT SLOCUM, N. Y.

The following amounts are provided for this station:

Barracks to accommodate 525 enlisted men	$426,000
Quarters to accommodate 4 officers	54,000

An additional $452,000 will complete the housing program at this post.

The permanent construction which existed at this post prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,389
Noncommissioned officers	8
Officers	32

50. FORT SNELLING, MINN.

The following amount is provided for this station:

Quarters to accommodate 4 officers	$54,000

This completes the housing program at this post.

The permanent quarters at Fort Snelling prior to the inauguration of the present Army housing program accommodated:

Enlisted men	1,501
Noncommissioned officers	45
Officers	59

Fort Snelling is the station of the Third Infantry and is a training area for civilian components of the Army.

51. FORT WADSWORTH, N. Y.

The following amounts are provided for this post:

Barracks to accommodate 767 enlisted men	$625,000
Quarters to accommodate 5 noncommissioned officers	30,000

The permanent construction which existed at this post prior to the inauguration of the present Army housing program accommodated:

Noncommissioned officers	18
Officers	14

An additional $253,300 is still needed to complete the housing program at this post. Fort Wadsworth is the station of the headquarters of the First Infantry Brigade, of a part of the Sixteenth Infantry, and of some special and technical troops. It is a part of the harbor defenses of southern New York.

52. WALTER REED GENERAL HOSPITAL, ARMY MEDICAL CENTER, WASHINGTON, D. C.

The following amounts are provided for this hospital:

Quarters to accommodate 190 nurses	$660,000
Continuation of work on new hospital	310,000

The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Enlisted men	225
Noncommissioned officers	2
Officers	17

The building program which is progressing so splendidly at Walter Reed is well known to all Members of the House. It is a wonderful hospital and deserving of the fine plant which is being built there.

53. WEST POINT, N. Y.

The following amounts are provided for this station:

Cadet barracks	$185,000
Quarters to accommodate 72 officers	600,000
Quarters to accommodate 25 noncommissioned officers	150,000
Veterinary hospital	25,000
Alteration of West Academic Building	50,000

The permanent quarters which existed at this station prior to the inauguration of the present Army housing program accommodated:

Cadets (2 per room)	875
Enlisted men	1,060
Noncommissioned officers	119
Officers	156
Patients in hospital	116

Construction for West Point has been carried on for several years as a separate building program for that post alone. It is now, and will hereafter be, carried on as a part of the housing program for the Army.

I have related in considerable detail just what we have been doing for Army housing. I want the Members of the House and I want the country generally to know that we are fully alive to these needs and that we are meeting the requirements in a very satisfactory manner.

During the last year I personally spent many weeks investigating these needs, and I think I have a very good understanding of what they are. I traveled over 25,000 miles, and I saw the conditions in Panama and Hawaii, as well as in most parts of the continental limits of the United States. On this trip I devoted my time and study especially to Army housing, and I can assure the Members of the House that every dollar of this money which we are authorizing is going for a good and a necessary purpose and only to those places where it is most needed.

A considerable portion of the amounts carried in each authorization bill is for the Air Corps. This is necessary for two reasons: First, the Air Corps is in almost every case located at a new station, which was acquired during or since the war, and where no permanent construction exists; and secondly, because of the requirements of the five-year Air Corps program. However, it should be noted that construction is being provided for the other branches of the Army in such a way as to carry on a well-balanced program for the entire Army. The Air Corps is catching up with the older branches. In my judgment, the program should go forward so as to complete it for all branches at about the same time, in the meantime keeping in mind the most urgent needs and meeting them as they arise.

In conclusion I want to commend to the House the splendid spirit in which the members of the Military Affairs Committee are working out this housing problem and to assure the Members of the House that in this work the committee has found a splendid spirit of cooperation on the part of the War Department and the Army, as well as on the part of the Bureau of the Budget. In fact, I think I am only giving expression to the feeling of all the members of the committee when I say we especially appreciate the very splendid cooperation which the Director of the Bureau of the Budget has given to our committee in all matters.

THE WELSH PEOPLE IN AMERICA

Mr. KENT. Mr. Speaker, in the great experiment in self-government first undertaken by European peoples upon the Western Hemisphere no race of people was more ambitious or potent than the Welsh race. An unconquerable spirit existed among the Welsh people for many centuries. The early conquerors of the British Isles and their successors drove the original Welsh people back in the furthermost hilly recesses of Wales. From that time until the present the Welsh people have always contended that although from a governmental standpoint they may have been subdued, yet in spirit they were never conquered and so the Welsh people have always retained a marked individuality far different from that of any other race. An air of mysticism has always prevailed over the great Welsh people. Restless to an extent, they followed the flag of the British Empire. They colonized many of the outermost recesses of the British Empire and carried English customs and civilization wherever they went.

The new experiment in America attracted many adventurous and patriotic souls who were thrilled with the attempt of Europeans to colonize America, not for purposes of aggrandizement for European nations, but in the endeavor to set up a nation eventually which would have for its ultimate object the expression of free peoples who wanted to build a government which would derive its powers from the consent of the governed.

The early Welsh people in America and their activities can be traced to a time preceding the landing of the *Mayflower*. They divided themselves into three great waves of immigration. The first, or New England wave started in July, 1621, under the leadership of Stephen Hopkins, an ancestor of a signer of the Declaration of Independence by one of the same name. The second wave began with the landing of the ship *Lyon*, in 1632. Their leader was Edward Garfield, and to him the martyred President traced his ancestry. To these settlers is given the credit of financial strength and support of Harvard College, now one of our greatest universities. The Rev. Josiah Moody, one of the colony, gave 60 pounds sterling annually for the support of that college, but because of the pressure of other business refused to become its president. In this period came the world-renowned Roger Williams, a great factor in civic, political, and moral life, the founder of the first free school in America. The third wave was in 1682, the leader of this branch being our own great Pennsylvanian, William Penn, together with Evan Davis. They settled in Chester, Bucks, Lancaster, Berks, and Montgomery Counties in Pennsylvania.

In Virginia numerous prominent Welshmen settled and impressed themselves upon the governmental life of that great State which has always been called "Mother of Presidents." Chief among the great Welshmen of America was Thomas Jefferson, Secretary of State, Ambassador to France, and for two terms President of the United States.

In his veins flowed blood which was almost exclusively Welsh. He foresaw that the infant Republic of the West, our own America, might tend to monarchial influences. Almost alone and single-handed he penned those mighty papers of State and newspaper articles which eventually aroused the great spirit of the new American people to loftier ideals of self-government. As a young man he himself penned the Declaration of Independence. He saw the Government of the United States drifting into the hands of those who believed that a certain class only should take part in the Government of the country. He saw those in power usurping more privilege and power. He heard serious expression given, and hope entertained that the President of the United States eventually might be given the power to appoint the governors of the several States. Slowly but certainly the Government was drifting into the hands of the powerful financial interests of the Nation. Thomas Jefferson carefully and studiously marshaled the forces of liberalism and showed the people the way whereby they could take control of their own Government and work out their own destinies in accordance with the great experiment which they had undertaken in the first great waves of Welsh immigration. The people responded. Thomas Jefferson eventually became President and founded his own great political party, which endures to the present day. It is the only great political organization in the history of the world which has existed that length of time. His influence therefore is marked indelibly upon the political, social, and economic structures of our country.

And so the great Welsh people, through Roger Williams, have shown the way to religious reform, and as founder of the first public school, has helped to blaze the way toward universal free education. Through William Penn and others who have founded the great Welsh settlements around Philadelphia, they have shown the way to religious liberty and constructive achievement in the founding of governments. Through Thomas Jefferson and his Welsh leaders and followers they have shown the way to the peoples of all times, whereby they may work out their destinies in self-governing republics. Through Robert Morris and William Williams they have shown the way to financially constructive achievement. Welshmen were the first to discover iron, coal, copper, and slate in America. Gabriel Thomas, the first to discover iron ore, and yet in its infancy, had remarked that he had found runs of water having the same color as those which issued from the coal mines in Wales. He is supposed to have been the first to find out the sources of Pennsylvania's great industries. Slate was discovered by William Roberts of Trout Creek, near Slatington, Pa., in the year 1844. In Bangor, Pa., in 1865, Robert M. Jones, fresh from the Civil War, discovered Bangor slate, founded Bangor, and was its first chief burgess.

In every branch of America's mining and manufacturing industries the Welsh people have shown marked success and have been pioneers in the development of our resources.

Therefore with this great historical background we are assured that the peoples of Welsh descent will constantly move forward in the development of those interests of a political, educational, economic, and social nature which look to a realization of the highest American ideals.

LEAVE TO ADDRESS THE HOUSE

Mr. KVALE. Mr. Speaker, I ask unanimous consent that to-morrow, at the conclusion of the remarks of the gentleman

from Michigan [Mr. CRAMTON], I may be given 10 minutes in which to address the House.

The SPEAKER. The gentleman from Minnesota asks unanimous consent that to-morrow, following the remarks of the gentleman from Michigan [Mr. CRAMTON], he may have 10 minutes in which to address the House. Is there objection?

There was no objection.

EXAMINATION OF VESSELS CARRYING EXPORT CATTLE, SWINE, ETC.

Mr. HAUGEN. Mr. Speaker, I call up House Joint Resolution 140 and move to concur in the Senate amendments.

The SPEAKER. The gentleman from Iowa asks unanimous consent to call up House Joint Resolution 140, with Senate amendments, and agree to the Senate amendments. The Clerk will report the House joint resolution.

The Clerk read as follows:

Joint resolution (H. J. Res. 140) to amend sections 1 and 2 of the act of March 3, 1891.

The SPEAKER. The Clerk will report the Senate amendments.

The Senate amendments were read.

The SPEAKER. Is there objection to the request of the gentleman from Iowa?

Mr. CHINDBLOM. The gentleman from Texas [Mr. GARNER] is not here to make his usual inquiries about the committee having been first consulted.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

COAT OF ARMS OF THE STATE OF OKLAHOMA

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to speak for one minute.

The SPEAKER. Is there objection to the request of the gentleman from Oklahoma?

There was no objection.

Mr. McKEOWN. Mr. Speaker, and Members of the House, I want to call your attention to the fact that the great seal or coat of arms of the State of Oklahoma has at last been placed in the ceiling of the House Chamber, and now shines above the Speaker's stand. [Applause.]

ADDRESS OF HON. RENICK W. DUNLAP

Mr. LANKFORD. Mr. Speaker, I ask unanimous consent to extend my remarks by including an address delivered in my district by the Assistant Secretary of Agriculture.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

Mr. SCHAFER. On what subject?

Mr. LANKFORD. On the subject of farm relief.

The SPEAKER. Is there objection?

There was no objection.

Mr. LANKFORD. Mr. Speaker, under leave to extend my remarks in the RECORD I include the following address of Hon. Renick W. Dunlap, Assistant Secretary of Agriculture, delivered upon the occasion of a joint luncheon of the Brunswick Board of Trade and the Young Men's Club of Brunswick, with farmers as invited guests, at Brunswick, Ga., Monday, April 16, 1928:

Mr. Zelmenovitz, Mr. Heintzman, ladies, members of the Young Men's Club, and business men of Brunswick and vicinity—and when I say "business men" I include such farmers as may be in this assembly—for to-day, in order to be successful farmers, we must also be successful business men:

I was delighted to receive an invitation to come South. We spent three very happy years in the South, not many miles from Brunswick; and we are delighted to have the opportunity of coming back to that place where we enjoyed ourselves so much. While we have never visited this immediate vicinity, we have been in Georgia—and about this county to some extent, and we know something of your community and of your problems.

Before I forget it, Mrs. Dunlap asked me if I would not publicly thank you folks for the wonderful hospitality you have shown us since we arrived a day or two ago, and to especially thank the Young Men's Club and the ladies of the community for the beautiful flowers which she received. Mrs. Dunlap does not often speak in public, and this recalls to my mind a story I heard on the ladies not long ago, which illustrates, I think, that they do talk in private: A friend of a gentleman passed away, and this gentleman was met down the street the next day by another friend, who said, "Jim, what was John's last word?" Jim replied, "John didn't have any last word; his wife was with him to the last." So I want to assure you that, while Mrs. Dunlap does not talk in public, she makes up for it in private, as, no doubt, some of these ladies have observed.

There is another reason why I am glad to be here to-day, and that is because you business men of this community have seen fit to gather here with farmers as your guests to discuss the great subject of agriculture. I can remember very well the time—and I am not as old as my appearance would indicate—when farmers and business men didn't mix any more than oil and water mix. I can remember when I left my father's farm for college—for our State university—I was dubbed a hayseed, a shorthorn, a mossback, and other similar endearing terms. I probably looked the part—redheaded, freckled, probably wore boots and other raiment that corresponded with the boots. Farm boys then were not considered the equal of the city boys, and we didn't mix; in fact, it has been only in the last few years that farmers and city folks have really gotten together in a social and business way.

My friend Heintzman referred to the fact that I held public office in Ohio several years ago. It is true that I was State food commissioner from 1907 to 1911 and also held other State offices. It was necessary while serving the public as a State official to live in the capital city, and having lived there for a number of years I got acquainted with a good many city people. My term of office was a good many years ago—before the days of many automobiles and radios; at a time when the country folks and the city folks were not so well acquainted as they now are. Well, we were living in the capital city of Ohio. The ladies in the north end of the city where we lived organized a mother's club, and Mrs. Dunlap was invited to become a member and accepted the invitation. I do not know whether you have such clubs in Brunswick or not, but I suggest to the fathers if you do not that you encourage these clubs. I find that they beat card clubs all to pieces. It was the custom of this club to invite the daddies to attend a meeting about once a month. Consequently, it gave me the opportunity of getting acquainted with a good many city men and women, and I observed that they usually talked quite a little about farms and farming and they would tell they once lived on a farm, or their father or mother or some of their ancestors lived on a farm, and they would relate how they enjoyed the country and farm life, and that they expected to own a farm some day.

I have observed that those people who are raised in the country usually have a desire to get back to the soil. I have often heard it said that the boy leaves the farm, but the farm never leaves the boy. I presume many of you town folks have the idea in the back of your head that some day you will come back to the place where you were brought up, purchase the old farm, and go into the business of farming. Some of you are now what we might call agriculturists. That is, you make your money in the city and spend it in the country. You know we farmers do the opposite. We make our money in the country and spend it in town. Well, it was a custom in this mother's club for each mother to entertain in turn, but it so happened that I was on the ticket for reelection in Ohio at one of those very few times in the history of the State when the State went Democratic, and as a consequence I was relieved of my official duties and we went back to our farm before the time arrived for Mrs. Dunlap to entertain the mother's club. But we did not want to be slackers, so we invited the crowd down to the farm, and they all came. We had 100 per cent attendance.

As a means of entertaining our guests we decided to find out what they really did know about farming. In one of the large rooms in the old home we set a long table, putting farm articles on it, such as wheat, corn, oats, barley, and field seed, clover, alfalfa, timothy, and alsike, and samples of hay of various varieties, and over at the side we had a crate with some Duroc pigs in it, and in another crate we had some Langshan chickens. We numbered all of these products and handed cards with corresponding numbers to our guests. We turned them loose and told them that the one who made the highest grade would get a prize.

It was rather interesting to read some of these replies. For instance, we asked them to name the breed of the pigs, and most of them said they were Rhode Island Reds, and they had their ages from 3 weeks to 3 years, and the weights were correspondingly ridiculous. In naming the breed of chickens, most of them said they were Shires or Clydesdales—well, they didn't miss that so much for these breeds of horses and Langshan chickens both have feathers on their legs. After they finished in the house they meandered out into the barnyard, and there they saw some little mule colts running along with their mothers. They looked at the colts with a great deal of curiosity, and then asked where their mothers were. I pointed to the mares standing at one side of the lot and said, "There they are." "Well," said our guests, "we may not know very much about chickens, pigs, etc., but we do know that these little mule colts have got to have mules for mothers." Well, we found out all the "rubes" didn't live in the country.

It is said in those days that when we farmers went to town we would blow out the gas instead of turning it out, but to-day we "step on it" when we go to town. I want to tell you it is a mighty fine thing to find business men interested in agriculture. We know, however, you business men are not particularly in love with us and that you do not like us any better than you do anyone else, but you are interested in us because you know it is business for you to

be interested in us. You know that we supply all your food and clothing, and that we also supply material for industries of this country which employ one-half the industrial workers, and you probably know that there is invested in farms in the United States more capital than is invested in manufacturing, mining, quarrying, and railroading combined.

You probably know that about one-eighth of the freight tonnage is supplied by the farmer, and about one-half of the total exports come from our farms, and the farmers of America pay about one-fifth of the taxes. I know our railroad friends sometimes make a great deal of complaint about paying taxes, and they do pay quite a lot of taxes. Some one has estimated that they pay in taxes about $700 a minute—$11 every time the watch ticks. Yet the farmers of the United States furnish those who spend our tax money about $26 every time the watch ticks.

Another matter of much importance to the urban citizen is that the country supplies quite a large number of excellent boys and girls for city consumption. I think if you will go into any of our great industrial centers and trace the history of the successful business and professional men, you will find that a very large percentage of them were brought up in the country, either on farms or in small towns.

You business men perhaps know that on our 6,000,000 farms there are invested $12,000,000,000 in farm buildings and that these buildings last on an average 40 years. Consequently, the farmers of the United States are investing $275,000,000 each year in the replacement of buildings, which is quite a sum of money to distribute among manufacturers of building materials, and, furthermore, if the farmer has at the end of the year a surplus of funds over and above that needed for living expenses, he will erect some new buildings, and that means additional business for the cities. You business men also know there are about $3,600,000,000 invested in farm machinery on these farms, and that on an average this machinery lasts 10 years. Therefore, the farmers are spending each year $360,000,000 for the replacement of worn-out machinery, and, if they can afford to do so, they will buy new machinery, and you fellows in the city are glad to furnish it.

You also know that only about 10 per cent of the farms of this country have running water in the homes, leaving about 90 per cent yet to be equipped. You know that only about 10 or 12 per cent of farmhouses have gas and electricity. There are only about 12 or 15 per cent of farmers that have tractors to operate their farms, and a very few have trucks. You are all interested, regardless of your business or profession, in having agriculture prosperous.

I dropped into a drug store on Fifth Avenue, New York, one day and saw a little flapper standing behind the counter dispensing cosmetics, stuff supposed to make the ladies look beautiful, and I said to her, "Young lady, are you interested in the farmer?" Well, she thought I was crazy, I guess, for she said, "No; why should I be interested in the farmer? I am a New Yorker. I would not know what a farm or a farmer looked like!" I asked, "To whom do you sell this stuff that you are dispensing?" and she replied, "Mostly to stenographers." So I went across the street to a lawyer's office, and I said to the young lady stenographer, "Are you interested in the farmer?" She replied, "No; why should I be interested in the farmer? Those hayseeds do not interest me in the least. I work for a lawyer whose main client is the First National Bank." Then I visited the lawyer and said to him, "Are you interested in the farmer?" "No," he replied; "I am not interested in the farmer. The only client I have is the First National Bank on Fifth Avenue." Then I went over to the First National Bank, and I said to its president, "Are you interested in the farmer?" He replied, "Most assuredly." I said, "How many farmers have you as customers?" He replied, "Not a single one; but I have customers who sell their products to the farmer."

One of our best customers is a manufacturer of steel products; he makes wire, fence, roofing, and many other articles the farmer uses and I know if the farmer is not successful he will not purchase the products made by our customer; therefore, this bank is very much concerned in the welfare of the farmer. Our railroad customers are also very much interested in the farmer, for if they do not have freight to transport over their railroads, there is less income for them. This little girl in the drug store, of course, did not realize that her job depended to some extent, at least, on the success of the farmer. She did not know that if the farmer did not buy the goods made by the manufacturer that the bank would not have the manufacturer as a customer, and the bank without a customer would not need a lawyer. And the lawyer without a client would not need a stenographer, and a stenographer without a job would not have the wherewithal to buy the cosmetics from the little girl behind the counter at the corner drug store, and with no customers for cosmetics there would be no cosmetics sold, and the little flapper, who thought she was not interested in the farmer, would be compelled to look elsewhere for her pay envelope.

Those of us who are farmers know that the farmer has been having a pretty difficult time of it during the past few years. We know he has not been getting the income that he should from his capital invested and labor expended. While it has been said on a great many occasions that agriculture is the foundation of all prosperity, and that if the farmer is not successful, industry will not prosper, yet it is generally admitted that industry has been successful during the past few years, while at the same time agriculture has been depressed.

Is it not true that industry would have been more successful had agriculture been having a reasonable income? And, my friends, I believe the time is almost here, if it has not already arrived, when industry needs the farmer as a better customer than he has been during the past few years, if industry is to continue prosperous.

CAUSES OF AGRICULTURAL DEPRESSION

When we become ill we call a doctor, and if we are seriously ill we get the best medical advice available. We do not accept the advice of a quack, or any doctor who is not an expert. The first thing the doctor does is to make a diagnosis of our case—that is, he finds out what is wrong and what caused us to be ill. After a thorough examination and he is satisfied he knows what is wrong with us, he prescribes a certain treatment or remedy to perfect a cure and will also tell us what we must do to prevent a recurrence of our trouble.

We know that it takes longer to cure certain diseases than others. If we have a headache we can usually be relieved within a few hours. If we have the grippe it may take a week or two to recover; typhoid fever, six weeks or two months; and from some other diseases a much longer time is required to fully recover.

Agriculture became ill in the year 1921 and has been complaining more or less since that time. This great industry was not permitted, as we are, to select its own physician. Unfortunately, we had a large number of volunteer doctors, many of them quacks, who prescribed for agriculture without making a diagnosis. Many of these volunteer doctors knew very little, if anything, about farming. They saw an opportunity of getting before the public and receiving some free publicity. As a consequence, many remedies have been suggested, some of which, if applied, would have made the patient "Agriculture" worse instead of better. Fortunately, agriculture has not been compelled to swallow some of the impractical, or, I might say, patent medicines which have been prescribed.

I do not want to leave the impression with you, in discussing this very important matter, that I consider myself an expert in diagnosing and prescribing for agriculture. The only excuse I have for discussing this matter with you is that I have been a farmer all of my life. Practically everything I own is to-day invested in farm land, livestock, and farm equipment. Furthermore, I am an official in the great Department of Agriculture, which is endeavoring to help agriculture. This being open season for suggestions I venture to offer a program, feeling certain that if it does not help the patient it will certainly not injure it.

It is very apparent to all that the primary cause for the disease with which agriculture is now affected was the World War. The farmers of the United States were urged, if not commanded, to produce food products to the limit of their capacity and endurance. This they did willingly, and we all know they were well compensated for their efforts. The sudden closing of the war immediately brought serious troubles to agriculture. The European market was closed largely for the reason that Europe was broke and could not buy. The farmers acquired the habit of producing surplus crops and did not stop when the war closed, and as a consequence a large surplus accumulated, which naturally resulted in the bottom falling out of the prices of agricultural products. While prices of agricultural products declined, costs necessary to produce them did not. Labor costs did not decline, neither did the cost of farm machinery and other articles farmers buy. Taxes increased by leaps and bounds. From 1913 to 1916 it took only about 11.2 per cent of the net income from the farm to pay the farm taxes, but in 1920 and 1921 it took six times the net income from the farm to pay the taxes.

In 1921 and 1922 it took 77.7 per cent of the net income to pay taxes, and in 1926 it took 30.4 per cent. This increased tax is due to the increase in State and local expenditures. Statistics show that the national debt in 1919 was $25,482,000,000, but in November, 1927, it was reduced to $18,000,000,000. On the other hand, the debt of the States increased between 1913 and 1925 from $3,188,000,000 to $10,261,000,000, and during those years there were issued, each and every year, an average of $1,300,000,000 worth of tax-exempt securities—or putting this in the form of percentage, we find that while the Federal taxes decreased 39 per cent, State taxes increased 37 per cent, and the local subdivision taxes increased 56 per cent.

A further examination shows that new and improved machinery has been an important factor in causing agricultural trouble. New and improved machinery displaced during the past 10 years about 5,000,000 horses and mules. This means that about 20,000,000 acres of land, which heretofore has been used to maintain these 5,000,000 animals, is now used to produce food products which go on the market and increase the surplus. We also find that by the use of this machinery we are producing three times as much per agricultural worker as we did in 1850 and we are producing more than twice as much per agricultural worker as we did in 1870. We are producing 14 bushels more of oats, 17 bushels more of wheat, 17 bushels more of corn, and 39 bushels more of potatoes per acre than we did in 1880. Some folks are very much alarmed because so many folks are leaving the country and going to

town. This does not worry me in the least. In fact, I think a greater migration from country to city will be necessary before we have a balanced production.

With the aid of modern machinery the cotton farmer, for example, operating on a large scale, such as they do in the States of Texas and Oklahoma, is able to produce cotton at about one-half the cost required to produce this product on a small scale, as is the practice in some of the Southeastern States. We also find that by the use of the combine and other large machinery on comparatively cheap land in western Kansas and other Western States the farmers are able to produce wheat and sell it at a very much lower price and still make a profit than are the farmers in the Middle West and the East who operate on higher-priced land and in a smaller way.

Another factor, which may not be the best thing for country life, but nevertheless is coming to pass, is the very much enlarged farming operations. It has been demonstrated in many instances that the larger units can be operated much more economically than the smaller ones. We find that corporations are being formed and large areas are being acquired for the purpose of farming on an extensive scale. I personally know of a corporation in my own State, organized a number of years ago, that has been quite successful. I had a report from one of the stockholders of this corporation last January, and he stated that they had recently declared a 30 per cent dividend and had money left in the treasury. This is as good a dividend as is sometimes paid by some of the industrial and financial corporations about which we often complain. I know of another large farm in my own State, some 2,500 acres, which cleared over and above all expenses $30,000 last year. I might add that in both of these instances which I have cited, and other farmers who have succeeded, use the best business methods.

Another cause of agricultural troubles is that the habits of our people are changing. For example, we are consuming 10 per cent less meat than we did two decades ago; the consumption of wheat flour decreased 20 per cent in the last 24 years; corn meal, 75 per cent; we are using less clothing, very much less made of wool and cotton and perhaps more made of wood and silk.

The last cause of our agricultural depression which I shall mention is our reclamation policy. We have continued to remove water from certain lands and put water on other lands at Government expense and thereby brought into cultivation thousands and hundreds of thousands of acres and thus added millions of bushels and pounds of farm products to the already troublesome surplus.

I have enumerated some of the causes for our agricultural ills. It is always easy to tell about our troubles and to criticise and complain, but it is not such an easy matter to offer practical solutions for our troubles. I would not be fair to you if I did not prescribe a treatment. The remedies I propose are not sensational; they will not be found on the first page of the paper. My remedies will not cure overnight. I believe agriculture has a disease which will take a long time to cure. My prescription would read about as follows:

1. Cease opening new lands for settlement.

2. Encourage, through Federal appropriations, further study in agricultural research.

3. Find new uses for agricultural products.

4. Discover, if possible, use for those agricultural products which are now wasted.

5. Further study of concentrated fertilizers and their application.

6. Cure and prevention of diseases among livestock and plants.

7. Better quarantine service to prevent introduction from foreign countries of diseased plants and animals. Had our quarantine service been started earlier, many insects and diseases upon which we are now spending millions of dollars for control and eradication would not have been present, such as the Egyptian moth, European corn borer, and hundreds of other pests.

8. More attention to farm machinery.

9. The Federal Government should give all the help possible in solving the farmer's marketing problem, not with the idea of requiring the consumer to pay more for his food but rather in helping the farmer to get more of the consumer's dollar than he is now receiving.

10. Assist in teaching the farmer to produce not more food products but to produce more economically. The Government should preserve the American market for the American farmer. This can be done in only one way—that is, by a proper tariff.

11. An adjustment of taxes. The farmer is now paying more than his share of taxes, and this adjustment can only be made with the help of the urban citizens.

12. Marginal or submarginal land on which people may now be living, endeavoring to eke out an existence, might be purchased by the Federal Government and this land put into forests or used for grazing or left lying idle until such time as the population increases and additional land is needed to provide food to feed our people.

Before closing I want to say something about this immediate locality. If I am not misinformed your community and your State have in the past devoted a large portion of your acreage to the production of cotton. The boll weevil and the increased acreage have forced a lot of the farmers to do something else besides raise cotton. Back in 1921 we were raising 31,000,000 acres of cotton, while in 1926, almost 50,000,000 acres.

Now, I am not sure but that this has been a blessing rather than a detriment to your State. I believe as soon as your farmers begin to diversify and grow a variety of crops and begin to use more livestock they are going to be better off. I think you have a slogan in this community or in this part of the State which was started some time ago, "The sow, the hen, the cow." That is a fine combination. I can not for the life of me, and could not when I lived in the South, understand why the South continues to import so much of the dairy products that are consumed in the South. When I lived in Florida, I know there were thousands of pounds of butter sent into that State, and many, many thousands of gallons of milk each day went into that State. Why not produce your own dairy products? It is entirely possible for you to do so.

Your farmers are now diversifying quite a little. I notice that you are raising quite a little more tobacco than you did a few years ago. You are growing a good many vegetables now, and from the observations I have made since arriving in this community you have the soil and the climate here to grow as good vegetables as can be grown anywhere, and you have this advantage—which you, perhaps, have not overlooked—that you are near the market. This marketing problem is a very serious one to most farmers beyond the Mississippi River; but you are right at the market, and you can get your produce in the market almost overnight, if not overnight. Now, there is one thing that you folks will have to change your minds on a little, I believe, if you are going to grow vegetables. You will have to get a little different attitude on the tariff, and I believe you do have a different attitude than you used to have.

I was amused last year at having a delegation from Florida wait upon me and ask me if I would not intercede with the Tariff Commission to assist them in getting the tariff on tomatoes raised. I said, "I supposed you were free-traders and did not believe in the tariff." "Well," they said, "we will have to have tariff or we will have to quit raising tomatoes, because the Mexicans can send them in so much cheaper than we can raise them. They are driving us out of business."

You have a practice here in the South of burning off your flat woods which, I believe, is a great detriment to your country. The burning not only prevents reforestation but it also destroys those materials which make "humus," an ingredient which is so greatly needed in most of the southern soils. Furthermore, fire destroys bird and other animal life. Had this burning not been practiced during the past hundred years, I am sure you would find to-day that this soil would be well supplied with humus.

Additional forests are greatly needed. We are to-day consuming timber four times faster than we are producing it, and every acre we put back into forests we are sure, when we harvest the timber, it will command a good price. There is no danger of having a surplus of timber as there is of having a surplus of cotton and wheat.

I am particularly pleased to know that many city men are getting into the business of farming. These men are finding that farming is a business which requires as much business judgment and attention as any business in which they may have been previously engaged, whether it is the building of railroads, skyscrapers, running a bank, a store, or any other business. The more our city friends become interested in farming, the better it will be for agriculture. We must recognize that the farmer is to-day less than one-third of the total population, and that he is, because of his numbers, almost compelled to accept what the cities give.

You may conclude from my remarks that the outlook for the farmer of the future is rather dark. I do not want to leave this impression. On the other hand, I firmly believe that agricultural conditions are slowly improving and that farming again will be as good a business as it ever was. I expect to see the purchasing power of a farmer's dollar at par in the very near future. I am certain our Federal Government is going to do all it can to help the farmer. I said recently, and I repeat it to-day, that I believe now is the best time within the last 30 years to buy good land. I do not mean to say that land will not go lower in some instances. But certainly good land can now be bought for much less than it is worth. With the prices for farm products at a high level land is worth now as much as it was before the war. And yet it can be bought at a much lower figure.

I have already talked longer than I should. I told Colonel Huston that when I was through he should give me a signal. I have not heard the signal. Perhaps he is asleep. If so, he is not sleeping with his cut-out open. Before each and everybody else goes to sleep, I will stop. When we get to discussing our business and our hobbies we sometimes do not know when to stop. I think a little story along this line in conclusion would be appropriate. A little boy asked his daddy if Edison made the first talking machine. His father said, "No; God made the first talking machine, but Edison made the first one you could turn off."

GENERAL LEAVE TO PRINT ON MUSCLE SHOALS

Mr. WRIGHT. Mr. Speaker, I ask unanimous consent that all Members may have five legislative days in which to file remarks on the Muscle Shoals conference report.

The SPEAKER. Is there objection to the request of the gentleman from Georgia?

There was no objection.

PERMISSION TO ADDRESS THE HOUSE

The SPEAKER. Under the special order of the House the Chair recognizes the gentleman from Colorado [Mr. WHITE] for 15 minutes.

Mr. WHITE of Colorado. Mr. Speaker and Members of the House, in consideration of the widespread controversy among our people as to the wisdom of the prohibition laws, and the integrity of their administration generally, and the comments recently made by Members of the Congress in relation to the vicious and unlawful assault by Federal prohibition officers to kill Jacob H. Hanson, the secretary of the Elks Lodge of Niagara Falls, N. Y., while he was lawfully driving his car along a public highway, I deem it my duty to bring before this House a like vicious and unlawful assault to kill a citizen of my own State by a Federal prohibition officer within 48 hours prior to the assault on Hanson.

Prompted by the great sacrifice of human life, by the widespread and continued disregard of the constitutional and inherent rights of our people, by the wholesale violation of the prohibition laws, by the making of criminals by the hundreds of thousands each year, and by the undermining of the character of our people and the foundation principles of our Government, all in the attempted administration of the prohibition laws, I am persuaded that nothing less than a broad and thorough investigation of the entire subject can satisfy the people or discover a remedy for the disorder.

Therefore to that end I introduced House Resolution 217, covering the subject, and under the consent granted me to revise and extend my remarks in the RECORD I here insert that resolution:

House Resolution 217, Seventieth Congress, first session

IN THE HOUSE OF REPRESENTATIVES,

May 21, 1928.

Mr. WHITE of Colorado submitted the following resolution, which was referred to the Committee on Rules and ordered to be printed:

Whereas on the night of May 4, 1928, and within 48 hours prior to the vicious and unlawful assault to kill Jacob D. Hanson, the secretary of the Elks Lodge of Niagara Falls, N. Y., in relation to which a resolution is now pending before this House, Henry Wiltfang, a young man under the age of 21 years, a resident of the county of Weld, in the State of Colorado, was unlawfully assaulted and three times fired upon by Joseph R. Calloway, a Federal prohibition agent, then accompanied by Cecil Roberts, a policeman of the city of Greeley, in the State of Colorado, while he, the said Henry Wiltfang, was peacefully and lawfully traveling alone in his automobile along the public street in said city of Greeley; and although the boy was not wounded one of the bullets discharged from the gun of said prohibition agent grazed his leg and another passed close to his head; and

Whereas said prohibition agent failed to make any report to any superior officer in relation to said shooting or at all; and

Whereas thereafter when the facts in relation to said shooting slowly became known in the community complaint was made to the Federal prohibition director for the district in which said shooting occurred, and while admitting that the Federal prohibition officer fired the shots at the boy as aforesaid, and that no report thereof had been made, said prohibition director declared that a report was unnecessary, "since no one was injured, no liquor was found, and no arrest was made," and that said shooting was not in violation of any order of the Bureau of Prohibition; and

Whereas since the records of the Prohibition Bureau disclose that since the Volstead Act became effective several hundred persons have been killed in alleged efforts to enforce the law, and from other sources it is learned that thousands of other persons have been fired upon and many wounded; and

Whereas Federal judges report that approximately 85 per cent of all cases filed in their courts grow out of alleged violations of the Volstead Act, and the records disclose that each year the United States courts alone are called upon to deal with approximately 60,000 criminal cases growing out of the alleged violation of said prohibition law, and each year impose from five to six thousand years' imprisonment for alleged violations thereof; and

Whereas the many courts in the several States of the Union and in the District of Columbia having jurisdiction of infractions of the same law are likewise crowded, and the number of cases filed and prosecuted therein and the years of imprisonment imposed for the violation of said law are augmented many times; and

Whereas the great sacrifice of human life, the widespread and continued violation of the constitutional and inherent rights of our citizens, the wholesale violation of the prohibition law, the making of criminals by the hundreds of thousands each year because of the violation of this one law is undermining the character of our people and the foundation principles of our Government, and a remedy for the disorder must be discovered and applied: Therefore be it

Resolved, That a committee of five members of the House be appointed by the Speaker thereof, and they are hereby empowered and directed to inquire into and report upon the matters and things hereinafter designated during the five-year period immediately preceding July 1, 1928, to wit:

(1) The cost in money directly or indirectly of the administration of the prohibition law, including appropriations directly and indirectly made therefor, court costs, officers, juries and witness fees in the United States and the District of Columbia and the several States of the Union, and all municipalities therein having a population of 2,000 or more.

(2) To ascertain the number of arrests that have been made during the aforesaid period by Federal, State, county, and municipal authorities for the alleged violation of the prohibition law and for drunkenness; the number of cases filed in the Federal and State courts during said period for the violation of said law, separately designating the criminal from the civil violations; the punishment imposed; the number of cases pending at the commencement of and filed during each year, and what disposition was made thereof; the name and residence of each Federal officer and other person killed or wounded in the alleged attempt to enforce the prohibition laws.

(3) To ascertain and report upon the general attitude and policy of Federal and State prohibition officers and others called to their assistance in the alleged enforcement of the prohibition law, and especially whether in doing so they themselves observe or violate the law or evade the constitutitonal and legal rights of the people to be secure in their person and property, and against unreasonable search and seizure, and to report especially upon the shooting of Jacob D. Hanson and the assault upon Henry Wiltfang, hereinbefore mentioned, and upon any and all acts, doings, matters and things which in the opinion of the committee may have a material bearing upon the administration of the prohibition law and its effect upon the people, and as to the feasibility of its successful enforcement, and as to the wisdom of repealing, modifying, or amending it.

(4) That the said committee is hereby authorized to sit and perform its duties at such times and places as it deems necessary or proper, and to require the attendance of witnesses by subpœnas or otherwise; to require the production of books, papers, and documents; and to employ counsel, experts, and other assistants, and stenographers, at a cost not exceeding $1.25 per printed page. The chairman of the committee, or any member thereof, may administer oaths to witnesses and sign subpœnas for witnesses; and every person duly summoned before said committee, or any subcommittee thereof, who refuses or fails to obey the process of said committee, or appears and refuses to answer questions pertinent to said investigation, shall be punished as prescribed by law. The expenses of said investigation shall be paid from the contingent fund of the House, on vouchers of the committee or subcommittee, signed by the chairman and approved by the Committee on Accounts.

The committee, or any subcommittee thereof, is authorized to sit during the sessions or the recesses of the House, and until otherwise ordered by the House.

I recognize that society has the right to be protected against the depredations of criminals, and I believe in the enforcement of the laws. I also recognize that in the enforcement of laws the procedure prescribed therefor must be observed if orderly government is to continue.

If in the ardent desire to enforce laws the fundamental principles and safeguards of liberty are disregarded, government itself becomes an outlaw and if the practice is long continued anarchy inevitably follows.

Our Constitution and laws enacted in pursuance thereof prescribe the procedure by which alone government may be lawfully administered. In other words, the law is made master of all, and public officials, whose duty it is to enforce the law, are only its servants and must obey its mandates or else themselves be classed as criminals.

Government may not lawfully invade the rights of anyone unless it is done in accordance with these laws.

However, it is a matter of common knowledge that in the efforts to enforce the prohibition laws other laws are disregarded with impunity and enforcing officials are frequently nothing more than petty tyrants whose actions are no less reprehensible than those from which our forefathers suffered and eventually freed themselves.

Just now word comes from my State of an incident of this character—and there are many of like nature—which should, and I believe will when fully known, shock the conscience of the Nation.

On the night of May 4 Henry Wiltfang, a boy of the age of 20 years, a resident of Weld County in the State of Colorado, was peacefully and lawfully driving along a street in the city of Greeley when Joseph R. Calloway, a Federal prohibition agent,

accompanied by Cecil Roberts, a Greeley policeman, fired three shots at him.

These officers say they were lying in wait for the purpose of capturing a supposed bootlegger, and seeing the boy approach drove along beside him within 2 feet of his car for a distance of about 200 feet and stated that they were officers and commanded him to stop, and that the boy's sole response was to accelerate the speed of his car, whereupon the shots were fired.

The boy claims that the officers did not disclose their identity until after the shots were fired. The prohibition officer claims that he shot into the street, between his own car and the one in which the boy was traveling. The boy denies this and says one of the bullets grazed his leg and another passed near his head. The bullet holes in the car show that one of the shots passed through the side of the car, another entered the hood of the car, and where the third shot lodged is unknown.

Fortunately the boy was not injured. He was, however, unquestionably, for an instant, in the very jaws of death. How would you feel toward your country had this boy been your son?

America may not disregard the laws herself through her officers and retain the respect and love of right-thinking people. That respect for law essential to government is turned to contempt when the Government becomes the lawbreaker.

Let us concede, but not admit, that the assaulting parties stated they were officers and called upon the boy to stop, and at the time believed him to be a bootlegger. This would in nowise justify their actions in the premises.

The boy believed the officers were holdups, and possessing that belief had the right to flee, and in doing so violated no law. The officers suspected him of being a bootlegger, but that falls far short of investing them with the lawful right to barrage him with leaden shot.

Is it possible that the American people and their Representatives in Congress will long permit or tolerate the killing of American citizens, or the shooting at them, because they are suspected of having or even have intoxicating liquors in their possession? Is this the value that this Christian Nation places upon human life? I can not believe so. On the contrary, I believe that the people, justice loving as they are, are awakening to the necessity of the enactment of reasonable and just laws that the people will respect and love to obey, and will place the enforcement of such laws in the hands of men and women possessed of character and common sense.

It may be wise and prudent, perhaps, for a citizen to stop when commanded to do so by one claiming to be an officer, but I submit that if he does not stop no officer has the right to kill him, or attempt to kill him, unless he knows that a felony has been committed and has reasonable grounds to and does believe that the party who fails to stop when so commanded is the perpetrator of the felony and that there is no reasonable way of apprehending him except by the use of such drastic means.

But even if the facts were different and this boy actually had intoxicating liquor in his car or in his possession, his attempted assassination can not be justified.

No pretense is made that either of these officers had a warrant for the arrest of the young man, and the offenses covered by the Volstead Act are not felonies within the meaning of that law but are misdemeanors.

Furthermore, the facts of this case disclose another evil far too common upon which the light of publicity must be thrown to effectuate a remedy. It is the failure to make reports to the Government of firings upon citizens, the stopping and searching of their cars, their places of business and homes by officers, except when some one is shot or injured, or arrests are made or liquor is found.

Thus in the instant case no report was made, and when the facts finally became known and inquiry was made of the officer that fired the shots as to why he had made no report of the incident, he merely said, "Well, no one was shot," and the Federal prohibition director of the State declared that no report of the shooting was necessary, "since no one was injured, no liquor was found, and no arrest was made."

The people of America want to be law-abiding—want laws that are sensible and reasonable—and believe in the enforcement of such laws; but they will ever demand that laws be enforced according to the course of procedure and not otherwise.

If in the enforcement of one law other laws are violated by enforcing officers, then what may we expect other than the conditions that exist to-day throughout the country—universal disregard for law. This is essentially true because officers who violate a law in attempting to enforce another law are themselves inciting others to violate the laws.

The foundation of free government is the inherent right of the people to life, liberty, and property, and the people of the United States have never invested either the Federal or State Governments with power to take away such rights except as provided by law.

The indignation of the Nation will be aroused, but it will be the indignation of virtuous, loyal, and affectionate people crying out against the tyranny which violates every provision of the Constitution made to secure and protect such rights in an effort to enforce one unreasonable, ridiculous, and absurd law.

I appeal to you to hearken unto this righteous indignation before it advances to that declaration expressed in Ex parte Milligan, Seventy-first United States 107, at page 126, by Mr. Justice Davis, of the United States Supreme Court, where he said that—

> A country preserved at the sacrifice of all the cardinal principles of liberty is not worth the cost of preservation.

However, the evils and wrongs involved will not be eliminated by the character of individuals intrusted with the enforcement of such laws or by the apparel in which they may be clothed. The evils and wrongs attending the enforcement of the prohibition laws flow naturally from such laws themselves. These laws are based upon a wrong conception of man's nature and can not be successfully enforced because of a fundamental defect in the law which I will bring to your attention presently.

There is a vast distinction, my countrymen, between such crimes as murder, rape, robbery, burglary, arson, theft, and like crimes, on the one hand, and the crimes created by the Volstead Act on the other, which has a tremendous effect upon the enforcement or nonenforcement of the two classes of laws.

In the former class there is an inherent immoral element in the crime facts. The doer of the criminal acts in such classes of crimes invades the natural and inherent rights of the one he attacks or acts against.

Everyone has the natural right to life, to property, and to security of person and home, but the killer, the robber, the rapist, the thief, and the perpetrator of like crimes invades that natural right and deprives the other of that which is his own.

This is not the case, however, under the Volstead Act. The facts constituting the crimes created thereby have no element of immorality in them. In other words, there is no inherent evil element in the crime facts, and in doing them there is no invasion of the natural or inherent rights of another.

The fundamental distinction between the character of crimes is that in those in which there is an element of immorality in the crime facts, the conscience of all, with few exceptions, automatically reacts against the doing of the things prohibited, while in those crimes wherein there is no element of immorality in the crime facts, the conscience of all, with few exceptions, fails to automatically react against the doing of the things prohibited.

The result is that laws covering the former class of crimes are usually observed and are enforceable, while those relating to the latter class are usually not observed and are nonenforceable. Thus it is that when people know or gain knowledge of the commission of a murder, a rape, a robbery, a burglary, or theft, or similar crimes, they quickly report the same, and even earnestly aid in the apprehension and punishment of the perpetrator of the crime.

This, however, is not the case when the acts constitute violations of the prohibition law, for the simple reason that the conscience of those that have knowledge of such violations of that law does not automatically react against the facts that constitute the crime. Their sense of justness and the fitness of things does not automatically tell them that an immoral thing has taken place, and in fact it has not. For while you may by legislation make innocent facts criminal, you can not by legislation make innocent facts immoral.

Neither the manufacture, sale, transportation, nor possession of intoxicating liquors embody elements of immorality within themselves. In other words, any of the facts may be done without the slightest injury to anyone. Therefore, any law which prohibits the doing of these things, not the regulation thereof, lacks the essential elements to make it effective.

I shall now proceed to a brief consideration of the workings of the prohibition law to further demonstrate its lack of wisdom and value as a legislative measure.

The annual report of the Commissioner of Prohibition for the fiscal year ended June 30, 1927, shows that Federal prohibition agents made 64,986 arrests, seized 7,137 automobiles and 353 boats; that 51,945 criminal prohibition cases against individuals were handled in the Federal courts; that 36,546 persons were convicted, upon whom 4,777 years of imprisonment were imposed and $5,575,225.48 in fines assessed.

The same report shows that Federal prohibition agents during the same fiscal year captured over 208,000 intoxicating-liquor manufacturing devices consisting of thousands of stills,

distilleries, still worms, and fermenters. The report also shows that during the same period the Federal prohibition agents seized 29,170,831.35 gallons of intoxicating liquors, consisting of approximately one and one-half million gallons of spirits, over 5,000,000 gallons of malt, and over 21,000,000 gallons of mash, and hundreds of thousands of gallons of wine, cider, and pomace.

The World's Almanac and Book of Facts for 1928 shows that during the calendar year of 1927 there were upon the dockets of the Federal courts over 61,000 criminal cases for the violation of the prohibition laws, in which those courts imposed 5,202 years of imprisonment and assessed fines in the sum of $5,646,709. It also shows that during the calendar year of 1926 there were upon the dockets of the Federal courts over 60,000 criminal cases for the violation of the prohibition laws, in which those courts imposed 5,666 years of imprisonment and assessed fines in the sum of $7,949,357, and that Federal prohibition agents captured 161,979 liquor-manufacturing devices.

I submit herewith a table showing some of the workings of the national prohibition act from its effective date to the end of the calendar year 1927:

Arrests for violation of the national prohibition act made by Federal prohibition officers since the effective date of that act

Jan. 17 to June 30, 1920	10,548
1921	34,175
1922	42,223
1923	66,936
1924	68,161
1925	62,747
1926	58,391
1927	64,986

The above summaries, it will be observed, do not include arrests and convictions by State authority for prohibition offenses.

Convictions under the national prohibition act in the Federal courts

1920	4,315
1921	17,962
1922	22,749
1923	34,069
1924	37,181
1925	38,498
1926	41,154
1927	36,546

The above summaries, it will be observed, do not include arrests and convictions by State authority for prohibition offenses.

Seizures of illicit distillers, stills, still worms, and fermenters

1920 (stills only)	14,337
1921	95,933
1922	111,155
1923	158,132
1924	159,176
1925	172,537
1926	161,979
1927	208,073

The above summaries do not include seizures of illicit distilleries and distilling apparatus by State authority.

Sentences imposed by Federal courts for violation of prohibition act

	Aggregate years
1920	[1]
1921	[1]
1922	1,552
1923	2,241
1924	3,187
1925	4,569
1926	5,666
1927	5,202

The above summaries do not include sentences imposed by State, county, and municipal courts.

The facts disclosed are startling, but should we add thereto the number of arrests made, the cases prosecuted, convictions had, the years of imprisonment imposed, the amount of fines assessed, the instruments of illicit manufacturing captured by State authorities each year for violation of the prohibition laws in every State of the Union, including the District of Columbia, the conditions would be appalling.

We have the word of Albert Levitt, a professed prohibitionist and formerly special assistant to the Attorney General of the United States, that—

> The situation in the several States was and is infinitely worse than the Federal situation. Local enforcement is with very rare exceptions very insincere. This is due to the fact that practically all the local enforcement officers are themselves wet. This is as true of the so-called dry States as of the wet ones. It is nothing unusual to find that the sheriff was himself a bootlegger or in quiet partnership with those who are. Chiefs of police and commissioners of public safety give "wet parties." Prosecuting attorneys are bravely vociferous against some petty offenders against the Volstead Act, and especially so if the latter are Italians, Poles, or Scandinavians. But the big offenders, the prosperous business men of the community, the fraternal clubs, and the political organizations are allowed to violate the law with impunity. Police officers are drunk on duty. Judges impose a light fine on some bootlegger brought before them for sentence and then retire to their "chambers" to drink the liquor which the same bootlegger has sold to them.

In the city of Detroit, where city, county, State, and Federal law-enforcement officers are charged with the task of preventing traffic in liquor, it is found as the result of a thorough investigation made by the Detroit News and reported May 1, 1928, that the business of selling intoxicating liquors has grown in that city until it is second in volume only to the automobile industry, and is estimated to employ 50,000 persons, with an output valued at $215,000,000. The Buffalo Courier, commenting upon this condition in Detroit, says:

> Doubtless comparable figures could be obtained in any city situate as Detroit is, in a border or coast district, where rum runners ply their trade.

In July, 1926, Gen. Lincoln C. Andrews, then in charge of prohibition enforcement, reported that 875 members of his force, being approximately 25 per cent of them, had been discharged for malfeasance in office, consisting of extortion, bribery, collusion, conspiracy, intoxication, perjury, illegal disposition of liquor, specific violations of the prohibition laws, and other reprehensible conduct.

Moreover, since this report there has been little, if any, cessation of misconduct on the part of either Federal or State officials in the attempted enforcement of this absurd law. The press is filled from day to day with acts of official misconduct upon the part of both State and Federal officials in their attempt to enforce this same law. This is equally true as to violations of this law by nonofficials and should be obvious to the least observing that prohibition is producing official and private hypocrisy and general disregard for all law and breaking down the character of the American people by its false pretenses.

The inequality of enforcement is another thing to which I object. Those of influence go free, while those of no influence are persecuted. The rich are free to get and drink as they please, while the poor walk the narrow entrance to the penitentiaries. If a shabby cottage is suspected of liquor, closed doors are no bar to the prohibition officer; he breaks down the doors. But if the home of wealth is suspected of the same thing, the bright lights reflected from within seem to blind the eyes of the officer so he can not even see the address.

It is the unthinkable hypocrisy in connection with this law and its enforcement and the intolerance of its sponsors that is eating out the heart of our civilization.

Much is said on the one hand relative to the enormous cost of prohibition and on the other as to the savings that are effected thereby, but should we concede the correctness of either or both of these contentions it can in no wise lessen the necessity for a modification of the Volstead Act.

The saving of men is of far greater value and importance than the saving of dollars and may not be measured by the money standard.

No civilization can long continue when through and by one law hundreds of thousands of its men and women are each year becoming inmates of penal institutions. Especially is this true when these persons are made criminals for the doing of things which only yesterday were unattended by any criminality.

The magnitude of such loss to our civilization may be partially appreciated when you consider that the Federal courts alone have been and are making criminals at the rate of 35,000 a year and that the average age of criminals is now only about 24 years. Add to this the great number of splendid young men and women who are daily being sent to penal institutions for the violation of this one law by the many State courts throughout our land and you realize that the loss to our civilization is appalling, for no people can long survive such a drain.

Moreover, the descendants of these criminals during the memory of man will be under the handicap placed upon their ancestors for the doing of things that were before the enactment of this law perfectly innocent and the doing of which was common among men.

The prohibitionists say we are merely trying to put an entering wedge into the law to bring back the saloons, when they know full well that we have no such purpose in view. On the contrary, our purpose is to amend our laws, so that we can have decent and respectable government instead of national hypocrisy, debauchery, and tyranny.

The Anti-Saloon League, however, and its associated organizations call us nullifiers of the Constitution because we seek to amend a statutory law in accordance with the provisions of the Constitution. The inherent and constitutional right was never

[1] No record.

surrendered and remains in the people to abolish, change, or modify any law or constitutional provision when they see fit so to do. To exercise this power is a patriotic duty if and when either laws or constitutional provisions are unwise and prove ineffective.

Our opponents contend that no valid amendment can be made to the Volstead Act because it would be in conflict with the Constitution. If this were true—and they honestly believe that it is true—why should they worry? The Supreme Court would declare it unconstitutional and our efforts in that behalf would then prove abortive.

Champions of prohibition remind us that the brewery interests once boasted that they ran the country from the White House down, while overlooking the fact that the Anti-Saloon League and its associated organizations are now trying to do the same thing. They point out that 40 years ago the liquor interests started putting their thumb mark on politicians, and forget that the witch burners of the prohibition forces are now even more zealously jabbing their awls into our present-day statesmen with the hope of finding "witch marks" that will justify their political execution in the fires of fanaticism. They charge that formerly the liquor interests sent their smartest men as delegates to all political conventions; that they wrote platforms and boasted of it in their trade papers; that they succeeded in penetrating the ranks of all parties in all States until finally the brewers could elect or defeat an entire administration and did; that they card-indexed every man in public life from alderman to governor and from governor to President; that they could and usually did defeat almost any man who harbored the slightest thought of curtailing the "personal right" of the saloon.

Granting that this be so, for the sake of argument, wherein, we ask, has prohibition improved these very conditions? We find that the Anti-Saloon League and its associates now send their smartest men to political conventions; nor are their "trade papers"—which are usually religious publications supposedly of a nonpolitical nature—silent of their conquests or modest in the face of victory, but boasting, vaunting, and threatening phrases pervade their columns. They have now succeeded in penetrating the ranks of all parties in all States, and finally can and do elect or defeat candidates and tickets in many States.

They have not only "card indexed" every man in public life but have sought to photograph and finger-print him as well. Regardless of what a man's qualifications for office, his ability, his reputation, or his integrity may or may not be, but let him utter the shibboleth, "I am for prohibition," and the hosts of the Anti-Saloon League rally to his standard like swarming bees to a new queen. On the other hand, should he evince any indications of questioning either the propriety, wisdom, or social value of any of the prohibition laws or the methods of enforcing them, these same hosts with even more vigor rise to smite him and efface his name from the memory of man. They consign him to the limbo of the socially undesirable; they classify him as a criminal and as a dangerous enemy of society; they resurrect that all but forgotten "bogey" of Civil War days, the word "nullification," and hurl it at his head with mingled imprecations and insults.

Prohibition and temperance can not exist in the same place at the same time. Where one is the other can not be.

I am for temperance.

I believe in the highest and widest liberty of the individual under the law.

I believe in the right of the people to amend any law which is oppressive or ineffective.

I believe in observance of law, but I believe in repealing bad laws and making good ones.

Specifically, I believe in the modification of the Volstead Act—

Because of the official failure to enforce its impossible provisions and because of the individual disregard of an oppressive enactment.

Because it has been and is the most demoralizing and corrupting force in American history.

Because it has produced official and private hypocrisy and general disregard for all law.

Because it does not prohibit.

Because it is making hypocrites of adults and secret drinkers of the youth of America.

Because it is breaking down the character of the American people by its false pretenses.

Because it has brought upon our people a horde of petty tyrants who, under authority of a bad law, are making outrageous invasions of the rights of citizens of this Republic.

We can not have temperance while the whole land is filled with illicitly manufactured and illicitly distributed intoxicating liquors.

We can not have respect for any law while the mass of the people are guilty of or accessory to the violation of one law.

The issue is not, then, one against a pretended prohibition but is one of honesty, public integrity, and personal morals against the hypocrisy and debauchery which threatens the oncoming generation with ruin.

I call upon all citizens who desire to maintain respect for law and who desire to cure the appalling conditions which have come upon all the communities of the United States because of the defiance of law to join in an effort for national decency. [Applause.]

The SPEAKER pro tempore. The time of the gentleman from Colorado has again expired. Under the previous order of the House, the gentleman from New York [Mr. O'CONNOR] is recognized for five minutes.

THE DALE RETIREMENT BILL

Mr. O'CONNOR of New York. Mr. Speaker, ladies and gentlemen of the House, in the Brooklyn Daily Eagle of yesterday, May 24, there appeared the following news article:

THANK LIVINGSTON

Jacob A. Livingston, Republican leader of Kings County, to-day received a telegram of thanks from Federal employees in the Customs Service, post office, and navy yard for his assistance in lining up Congressmen on the passage by the House yesterday of a rule that will permit their retirement bill to come before the lower branch in the present congressional session. The bill, which has passed the Senate, would change the retirement age from 70 to 60 years and increase pensions from $1,000 to $1,200.

This represents the proverbial limit in giving credit where no credit in the slightest degree is due. It must be subtle satire or unadulterated gall. Mr. Livingston had no more to do with obtaining a rule from the Rules Committee, of which I am a member, than the Shah of Persia. He was never heard of in connection with the legislation for which many of us have fought these long years.

Why, he has not got one Republican Congressman in his whole county to whom he could appeal. Whom has he been lining up? Democrats? There are not any others he knows. And his influence with Democratic Members is just about as strong as the President's strength with the farmers. Under his type of leadership as opposed to that of his able Democratic opponent, Mr. John H. McCooey, Kings County has become one of the greatest Democratic counties in the Empire State. It is therefore difficult to imagine how any Government employee could be deluded into believing for one moment that Mr. Livingston had the slightest connection with the progress of this legislation.

The representatives of the Government employees who have been active in behalf of this measure know who its friends have been. They know at whose doors they have knocked and received support. They also know who has been delaying this legislation for years.

It is not unknown to them on which side of the table in the Rules Committee their fight has been waged. The world knows the entire Democratic Delegation in Congress from New York has taken a leading part in that fight. As a member of that delegation, knowing what happened in the Rules Committee, although not permitted by certain rules of courtesy to disclose it, I can not let Mr. Livingston or any other Republican claim credit for the belated action on this measure. It should pass this House immediately so that our Federal employees may be able when they retire to at least live in some semblance of comfort. [Applause.]

BOULDER DAM

Mr. SMITH. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill (H. R. 5773) to provide for the construction of works for the protection and development of the lower Colorado River Basin, for the approval of the Colorado River compact, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 5773, with Mr. LEHLBACH in the chair.

The Clerk read the title of the bill.

The CHAIRMAN. When the committee rose the gentleman from Utah [Mr. LEATHERWOOD] had the floor and yielded in order that the gentleman from Idaho might move that the committee rise. The gentleman from Utah is entitled to the floor and is recognized for five minutes.

Mr. LEATHERWOOD. Mr. Chairman and members of the committee: I can not refrain from adding a word of commendation to the paragraph now under consideration. I am quite sure the committee does not realize the great benefit that the

taxpayers of the country are going to receive through the improved navigation on the Colorado River. [Laughter].

In my minority report I have tried to point out some of the benefits to be derived, but yet I was somewhat hazy as to whether they were as great as I imagined. On Wednesday all doubt was dispelled when a gentleman of the committee portrayed to the House this wonderful reservoir that will be formed by the dam, which will be 76 miles long and navigable. It is a wonderful reservoir and before I describe it to you I want to say that some one has remarked recently that navigation on the Colorado River begins nowhere and ends nowhere. I think this is a mistake. I conceive that possibly some of the grapefruit produced on the beautiful Yuma Mesa under the administration of my good friend, Col. Benjamin Franklin Fly may be transported over the turbid waters of this great river. They may load a flatboat with them and with a powerful tug they may succeed in pushing them up to the location of this dam where they will meet the first great aid of navigation, namely a dam across the river 550 feet above water level. There with a great electric hoist they will lift up this cargo of grapefruit into the beautiful reservoir back of this dam, 76 miles long and on either side the walls rising to sheer heights of 5,000 feet or more.

After transporting them over this beautiful lake with perpendicular walls on either side, with the limitless desert extending on either side for more than 300 miles, inhabited only by Gila monsters and rattlesnakes, they will reach the upper end of the lake, where the Hopi Indians will perhaps suspend their snake dances. Then each Indian will be supplied with a rope 5,000 feet long and a basket which they will lower down to the scow, and there at the end of navigation they will unload the grapefruit and then pull them up to the rim of this great canyon.

Then me-thinks the Hopi Indian runners will take the baskets of grapefruit and cross the desert with the hope that they will find a wandering cattleman or a sheep wagon and be able to dispose of one or two of the grapefruit, after going two or three hundred miles from the rim of the canyon.

O Mr. Taxpayer, you do not realize what we are going to give you; we are going to give you the most wonderful river for navigation that the country has ever known. [Laughter and applause.]

Mr. ARENTZ. Mr. Chairman, I ask unanimous consent to return to section 5 for the purpose of offering two amendments which I have sent to the desk.

The CHAIRMAN. The gentleman from Nevada asks unanimous consent to return to section 5. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the first amendment.

The Clerk read as follows:

Amendment offered by Mr. ARENTZ: Page 8 of the bill, after the word "application," the last word in the committee amendment heretofore agreed to insert the following: "The rights covered by such purposes shall be taken by such State within six months after notice by the Secretary of the Interior and be paid for on the same terms and conditions as may be provided in other similar contracts made by said Secretary."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment.

The Clerk read as follows:

Amendment by Mr. ARENTZ: Section 5, paragraph (b), page 8, line 11, insert after the word "utilize" the following: "Such water and appurtenant works and privileges necessary for the generation and distribution of hydroelectric energy or."

The CHAIRMAN. The question is on the amendment.

The amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, there are several amendments at the Clerk's desk which I will offer.

The Clerk read as follows:

Page 9, section 6, line 21, strike out the words "or alternatively to enter into contracts of lease for the use of water for the generation of electrical energy."

Mr. DAVENPORT. Mr. Chairman and gentlemen of the House, you will observe that there are three alternatives in section 6. In the first place, the Government or Secretary of the Interior may construct the power plant and operate it; second, the Government may construct the power plant and the unit or units of the plant may be leased and privately operated. In the third place, the Secretary of the Interior or the Government may lease the water, in which case, under all the circumstances, a private corporation at Boulder Canyon would construct the power house.

This amendment does nothing at all except strike out the third alternative, so that the Government, which has constructed the dam, shall also construct the power house—not operate it—construct the power house which is contiguous to the dam, and which could be built at the same time as the dam, with the same organization, equipment, and overhead, and therefore more economically than if a private corporation stepped in and built the power house. Everyone agrees that several power stations can not be built in any feasible way in the canyon. It is a narrow canyon and high. The Government is to build the dam anyway. If a private corporation under the third alternative should come in and build a power house, you would have two organizations, two entire sets of equipment, with work going on at the same time, which is just as impracticable as it possibly can be, and I think nearly everyone agrees to that who has ever been in the canyon. In the second place, if it is true that it can be built more economically by one organization than by two, then it can also be built more economically, because the Government can get the money for building the power house more cheaply than a private corporation can, and the burden on the region will not be so great, so far as capitalization used to construct the power plant is concerned. In the third place, if the Government actually owns and constructs the power house, its arm can reach farther for the protection of the consumer. Again, it seems to me incredible that the House of Representatives should allow a private corporation to build the power house when there is no provision in the bill whatever for the recapture of the power house. So from every important standpoint it seems to me wise that the Government, which builds the dam, should also build the power house. This does not in any way contravene the view of the President of the United States or anybody else that the Government should not engage in business, because the second alternative still leaves it entirely possible for any private corporation or municipal corporation to enter into this power station, in a unit or in units of it, and operate the plant.

Mr. NEWTON. Mr. Chairman, will the gentleman yield?

Mr. DAVENPORT. Yes.

Mr. NEWTON. If the Government constructs the power house, will the power house then be adapted to whoever might contract with the Government for the generation and distribution of power? Would they not be more apt to contract on advantageous terms if they constructed the power house?

Mr. DAVENPORT. Well, in the first place, everybody agrees that there should be one power house in there, and there is no reason to suppose that the engineers of the Government, who have had so much experience in building power houses, particularly the great power house at Muscle Shoals, would build it in such a way that it would not be practical for use by these private or municipal corporations. I think the same skill will be used by the Government engineers which they have used elsewhere.

Mr. LAGUARDIA. And of course there are not 57 varieties of power houses.

Mr. DAVENPORT. No. There is every reason to believe we should get a modern and high-grade power house built by our own Government engineers. I move the adoption of this amendment.

Mr. SWING. Mr. Chairman, I feel I ought to make a statement in connection with this amendment. I am in accord with much of the statement of the gentleman from New York [Mr. DAVENPORT]. In all probability, if the bill remains the way it is, the Government engineers will find it the economical and proper thing to do when they build the dam to build the power plant. However, this bill has been indorsed by the Secretary of the Interior. It has received the approval of the President in its present form and it has received the approval of the committee in its present form. I do not feel that the Government ought to have taken away from it the option of working out upon the ground what will prove to be the greatest undertaking any organization of our Government has been authorized to do. Therefore, I feel compelled to support the bill in the form in which it has been reported.

Mr. LAGUARDIA. Mr. Chairman, I move to strike out the last word. This amendment is offered by a friend of the project and a student of the subject. My colleague from New York [Mr. DAVENPORT] has given the subject of hydroelectric power as much study as any Member of the House. When he offers an amendment, let me say to the gentleman from California [Mr. SWING], he offers it in good faith, and in the few remarks he made he pointed out so clearly that the very vital of this undertaking, one of the chief purposes of building this dam, is to construct a power plant by the Government to be used for the purpose of conserving and utilizing a tremendous water power for the best advantage of all concerned. Bear in

mind the vicious, the disgraceful, venal propaganda that has been carried on for the last few years by the Power Trust to keep the Government from developing this great project. With that in mind, looking at the provisions of this bill, for the Government to build this great project to correct the defects of nature, to utilize this great force and harness this power, will you permit the Power Trust to come in, build the plant, and get advantage of it all? We have had experience in New York City. Profit, if you please, by our sad experience. We built subways costing $400,000,000 more than is involved in this bill. We turned over that precious property to an operating company, and the people of New York have been suffering ever since. We are unable to recapture our own property and our own investment, and are being exploited with our own property. I appeal to the gentleman from California [Mr. SWING] not to oppose this amendment. Every opponent of this bill will vote against this amendment. If you are sincere in establishing a precedent in this bill, if you are sincere in utilizing this great force for the benefit of all the people in that region of the country, if you believe in what you say, for God's sake stand by this amendment. Otherwise your bill will not carry out the purposes desired. [Applause.]

Mr. BLACK of New York. Mr. Chairman, I rise in opposition to the pro forma amendment. I want to add to what the gentleman from New York [Mr. LAGUARDIA] has said, and pay my small tribute to the gentleman from New York [Mr. DAVENPORT] who has offered this amendment. I agree with the gentleman from New York [Mr. LAGUARDIA] that there is no one in this House who has given more time and conscientious thought to this hydroelectric problem than has the gentleman from New York [Mr. DAVENPORT].

I hope that my colleagues from New York will support the gentleman on this amendment. This amendment will make this bill ironclad and copper riveted in the public interest. We do not want to pass the bill and turn this project over to the very people that some people think this bill is aimed at, and I trust the friends of this bill will see fit to accept the amendment.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. MONTAGUE. Mr. Chairman, I did not hear the amendment. Can we have it reported, if agreeable to the committee?

The CHAIRMAN. Without objection, the amendment will again be read.

There was no objection.

The amendment was again read.

The CHAIRMAN. The question is on agreeing to the amendment.

Mr. CROSSER. Mr. Chairman, I would like to be recognized if I can.

The CHAIRMAN. The House is dividing on the amendment.

The question was taken, and the amendment was agreed to.

The CHAIRMAN. The Clerk will report the next amendment offered by the gentleman from New York [Mr. DAVENPORT].

The Clerk read as follows:

On page 9, line 24, after the word "compact," insert the words "on condition that if two or more such contracts be entered into provision shall be made for operation of the plant under a joint agreement upon terms approved by the Secretary of the Interior for the purpose of providing for the most economical utilization of the available energy."

Mr. DAVENPORT. Mr. Chairman, the gentleman in charge of the bill tells me he is willing to accept the amendment.

Mr. SWING. I am of the belief that the amendment follows logically the one just adopted.

Mr. NEWTON. Mr. Chairman, may we have an explanation in a word or two? This is a very important amendment.

Mr. DAVENPORT. Mr. Chairman, I did not give the explanation because the sponsor of the bill said he would accept the amendment and I did not want to take the time. I am glad, however, to explain.

You will notice that under the second alternative the Government will build the plant, but that unit or units of it may be leased. If the power plant is to be operated efficiently, it must be susceptible of being operated as a single unit. It must be possible for the generators to be operated in synchronism. Now, picture this plant leased to separate entities not sympathetic with each other. In order to get the best results it is necessary to operate with the generators of a great power plant as you would play upon the keys of a great organ.

Mr. LEATHERWOOD. In the event that unit or units are to be leased, do your amendments provide any priority as to preference rights of lease?

Mr. DAVENPORT. My amendment provides that if the leasing plan is followed, and there are two or more contracts, there shall be a joint agreement in connection with the contract under the control of the Secretary of the Interior, so that the whole battery of generators can be employed and developed to the fullest advantage for the development of power.

Mr. LEATHERWOOD. But have any municipalities the first right to lease?

Mr. DAVENPORT. What does the gentleman from Idaho—the chairman of the committee—have to say about that?

Mr. SMITH. Yes. The bill provides that.

Mr. DAVENPORT. Have I explained sufficiently for the gentleman from Minnesota [Mr. NEWTON]?

Mr. NEWTON. Yes.

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from New York.

The amendment was agreed to.

The CHAIRMAN. The gentleman from New York offers another amendment, which the Clerk will report.

The Clerk read as follows:

Page 9, line 23, strike out the words "within a State which has approved the said Colorado River compact, in either of which events" and insert in lieu thereof the following: "in case of the execution of such contract."

Mr. DAVENPORT. This third amendment simply straightens out the English of the paragraph after these other amendments are put in.

Mr. LEATHERWOOD. We could not hear that. I would like to have the amendment again read.

The CHAIRMAN. Is there objection?

There was no objection.

The Clerk read as follows:

Page 9, line 23, strike out the words "within a State which has approved the said Colorado River compact, in either of which events" and insert in lieu thereof "in case of the execution of such contract."

Mr. LEATHERWOOD. Will the proponent of the amendment yield for a question?

Mr. DAVENPORT. Yes.

Mr. LEATHERWOOD. What is the purpose of this?

Mr. DAVENPORT. The striking out of the words "within a State which has approved the said Colorado River compact" is at the suggestion of the sponsor of the bill. I yield to him.

Mr. SWING. Under the amendment to the bill just adopted the Government will build the plant. Whether it will operate it or not will be determined later. It is provided that in case the governmental authority builds the plant it will regulate the contract.

Mr. LEATHERWOOD. What is the purpose of providing that the States shall have approved the compact?

Mr. SWING. I have no objection to its going out. Does the gentleman want it in?

Mr. LEATHERWOOD. I can not speak for the States.

Mr. HOCH. As I read the amendment in the RECORD, it did not strike out the words referred to.

Mr. DAVENPORT. The only reason for striking them out now is that the preceding amendments have passed and now the words referred to are not necessary.

Mr. HOCH. I did not understand the purpose of striking out the words "within a State which has approved the said Colorado River compact." That has nothing to do with the amendment that has been agreed to.

Mr. ARENTZ. Mr. Chairman, I offer an amendment to strike out these words that do not occur in the amendment offered last night on adjournment. I propose to amend the amendment.

Mr. DAVENPORT. I have no objection at all. I put those words in at the suggestion of the sponsor of the bill.

Mr. ARENTZ. So as to satisfy everybody, why not take them out?

Mr. DAVENPORT. All right.

The CHAIRMAN. Without objection, the gentleman from New York modifies his amendment in the manner indicated.

There was no objection.

The CHAIRMAN. The Clerk will report the amendment as modified.

The Clerk read as follows:

Mr. DAVENPORT offers the following amendment: On page 9, line 24, strike out the words "in either of which events," and insert in lieu thereof "in case of the execution of such contracts."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DAVENPORT. Mr. Chairman, I offer another amendment.

The CHAIRMAN. The gentleman from New York offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DAVENPORT: On page 10, line 3, after the words "shall apply," insert new paragraphs as follows:

"As a condition to the lease of the said plant or any unit or units thereof, and as a condition to the sale of electrical energy therefrom, every lessee and every purchaser, if the United States operates the plant, shall agree that the property of such lessee or purchaser, used and useful in connection therewith, shall be valued, whether by the agencies of the States or of the United States, and whether for regulation of rates or for taxation or for State or municipal acquisition and use, at its fair value, not to exceed the net investment of the said lessee or purchaser, and said net investment shall be ascertained in accordance with the provisions of the Federal water power act and the regulations of the Federal Power Commission.

"Every lease and every contract for the sale of power shall provide that the resale price thereof, with the transformation, transmission, and distribution of such energy, extending to sale to the ultimate consumer, shall be subject to the regulation and control of said Federal Power Commission or of the appropriate authorities of any State or States in which such power is transmitted, distributed, sold, or used, according to the respective jurisdictions of the said Federal Power Commission or said State authority, as provided in sections 19 and/or 20 of the Federal water power act."

Mr. DAVENPORT. Is an explanation of this amendment requested?

Mr. LEATHERWOOD. I think an explanation should be made.

Mr. DAVENPORT. This amendment insures actual prudent investment as one of the contract terms with the lessee or the purchaser of power. We are having just at this time a great deal of trouble in this country in keeping well established the old American rule of actual prudent investment in public utility valuations. The State of Massachusetts, for example, is disturbed over the Worcester Electric Lighting case. The State of Massachusetts has always looked upon actual prudent investment as a sound rule of determining the rate base. It happens there are certain judicial decisions which have to do more with judicial economics than with constitutionality or legality, which have been interpreted to mean that another rule, reproduction new or going concern value, may be established for public utilities, and the State of Massachusetts in this Worcester Electric Lighting case finds that no longer can it assure itself of actual prudent investment as a valuation basis for rate making. The city of New York in the Interborough Rapid Transit case is similarly troubled. In the State of Massachusetts the tendency of public opinion is that in the case of a new public utility enterprise or the extension or expansion of an old enterprise, there shall be put into the license agreement a contract provision with respect to actual prudent investment, so that instead of simply invoking the police power of the Constitution there may be, for a new enterprise, where no vested rights are involved, a clear declaration of the ancient and sound rule of public utility economics with respect to actual prudent investment. Not only the police power but the contract power of the Constitution must in the future be employed in the interest of the consumer.

Mr. MOORE of Virginia. The gentleman, as I understand it, proposes by his amendment to divest the question as to what shall constitute the basis of the value of the doubts that he has referred to which have troubled the courts and also the Supreme Court.

Mr. DAVENPORT. That is the idea.

Mr. LAGUARDIA. And to establish a fair and equitable formula?

Mr. DAVENPORT. Exactly.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SWING. Mr. Chairman, I move that all debate on this section and all amendments thereto close in five minutes.

The motion was agreed to.

Mr. MACGREGOR. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from New York offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. MACGREGOR: Page 10, line 22, at the end of the paragraph, insert:

"No liability of any kind shall attach to or rest upon the United States resulting from the construction of said dam or reservoir."

Mr. MACGREGOR. Mr. Chairman, some time in 1950, or thereabouts, I expect to open the morning paper and receive the news that the Boulder Canyon Dam has busted; that a couple of thousand lives have been lost; that this immense wealth, hoped to be created by this dam, has been lost, involving a money loss of many millions of dollars.

Mr. LEATHERWOOD. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. LEATHERWOOD. I think the gentleman may rest assured that the dam will not be completed by that time. [Laughter.]

Mr. SWING. Will the gentleman yield?

Mr. MACGREGOR. Yes.

Mr. SWING. As I understand the wording of the gentleman's amendment, it provides that no liability shall attach to the building of the dam, but the gentleman's debate is on what the result will be after the dam has broken.

May I ask you this question. Does not your amendment go so far that it would preclude the payment of any damages for flowage rights; would it not go so far as to prevent, under the amendment already adopted by the committee, paying any revenue to Arizona and Nevada?

Mr. MACGREGOR. I am offering this amendment for the purpose of calling attention to the danger. I am concerned about the claims that are going to come for the losses when the dam breaks.

This dam is four times as high as Niagara Falls from bed rock; 120 feet higher than the Washington Monument.

Mr. SMITH. It is unfortunate the gentleman is not more accurate in his statement. The Washington Monument is 555 feet.

Mr. MACGREGOR. And your dam is 675 feet from bedrock.

Mr. SMITH. The Washington Monument is 555 feet from the ground to the top, and this dam is 550 feet.

Mr. MACGREGOR. It is 675 feet from bedrock.

Mr. SWING. Will not the gentleman also start the Washington Monument at bedrock?

Mr. MACGREGOR. Anyway, the proposition involved here is that you have a dam which is at least 125 feet higher than any dam ever constructed in the history of the world.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. DOUGLAS of Arizona. It is 292 feet higher than any dam ever constructed in the history of the world.

Mr. MACGREGOR. Yes. This territory is subject to earthquakes.

Mr. SMITH. In the interest of accuracy——

Mr. MACGREGOR. Wait a minute. I am trying to have a little say here. [Laughter.] This territory is subject to earthquake.

Mr. EVANS of California. How does the gentleman know that?

Mr. MACGREGOR. By the statements of the facts here. You have it in the testimony here that there are earthquakes, and every time there is an earthquake in this section the rock goes into this Boulder Canyon by the ton.

Mr. SWING. In the interest of accuracy, will not the gentleman do me the honor, after he is through, to read my speech in which I quote Doctor Ransome, the eminent geologist of the United States Government, in which he states there has been no movement along the fault planes since the time civilized man came to the North American continent. [Laughter and applause.]

Mr. MACGREGOR. Then somebody must be prevaricating. [Laughter.]

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. MACGREGOR. Certainly.

Mr. DOUGLAS of Arizona. I think I can straighten this whole discussion out by simply explaining what an earthquake is. An earthquake need not necessarily result from movement along a fault plane. An earthquake is vibration as a result of movement either within a specific region or as a result of vibrations from movements elsewhere. The fact that there may not have been any movement on any of the fault planes which Doctor Ransome points out in his report is no evidence whatsoever that there has not been an earthquake at the Boulder Dam site.

Mr. MACGREGOR. Mr. W. G. Clark, a consulting engineer of New York City, said that there had been several earthquakes in this Boulder Dam region.

Mr. WILLIAM E. HULL. If the gentleman will permit, I have been at the Boulder Dam site and I would like to know if any earthquake ever affected the rocks there now. No earthquake could ever stir them up.

Mr. MACGREGOR. It is stated here that the earthquakes piled up tons of rock.

Mr. WILLIAM E. HULL. I do not see how it would be possible to blow them up.

Mr. MACGREGOR. Then the gentleman has not been there at the time they were torn up.

Mr. Chairman, I desire to state a few of the reasons why I am opposed to the Boulder Dam project.

I am opposed to the Government going into the power business.

I am opposed to any more reclamation propositions at the present time. The farmers are crying for relief from overproduction, but still we go on reclaiming more lands for agricultural production. The reclamation enterprises of the Government have not been eminently successful. Public moneys in many instances have been wasted.

I am opposed to constructing a dam that will constitute a menace. The proposed dam would be at least 675 feet high from the bedrock. That is four times as high as Niagara Falls. It is 120 feet taller than the Washington Monument.

The reservoir created by it would hold seven hundred times as much water as the St. Francis Dam in California that recently gave way, resulting in such a tremendous loss of life and property. It is appalling to think what destruction would follow in the wake of such a wall of water as would follow the breaking of the proposed dam. The territory is subject to earthquakes.

I am opposed to it because it is discriminatory legislation.

I look upon this matter purely as a local proposition and believe that the people of the locality should pay for it in any event. It is another instance of the Federal Government paying for everything and adding to the ever-increasing bureaucracy.

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. CROSSER. Mr. Chairman and members of the committee, it is strange why men who have lived under popular government are opposed to the rightful and lawful demand that the public's property, the Nation's natural resources, including water power, shall be used for the benefit of the public, for the equal advantage of all the people, and not for the special benefit of any one or few. Certainly one can find amusement in the illogical arguments presented to justify giving to a few people a special privilege in what belongs to all of the people.

Surely, however, those who still believe in the Declaration of Independence must be surprised when they observe Members of Congress apologizing for voting to have the Government keep and use, for the equal benefit of all of the people, those resources which, according to both law and morals, belong to the public as a whole.

All of the clamor on the part of private persons for the privilege of controlling and exploiting, for their own benefit, the public's natural resources is evidence of selfish desire for the largest possible portion of what is jointly produced by the action of labor, capital, and the force of nature itself.

Rarely, if ever, do men dispute or quarrel about what is the best mechanical means or method of producing wealth. The controversy is always in regard to how much they should have as their share of what is produced.

Every true economist recognizes, therefore, that in the science of political economy the most important subject is the economics of distribution, sometimes vaguely referred to as the wage question.

The many measures presented to Congress for the increase in the pay of different classes of Federal employees show clearly that the problem of just distribution is a very important one. Indeed, ever since I became of voting age I have realized that not only the welfare of those who work but, in fact, the ultimate safety of the Nation as a whole depends upon the establishment of justice in the distribution of what is jointly produced by the action of labor, the resources of nature and of capital.

Let me say, before proceeding further, that while I have been a Member of Congress I have supported every measure for the increase of the wages of Government employees. I have done so gladly. I know, however, that such measures constitute no fundamental and final remedy for the injustice suffered by the class of people known as employees.

Many men in public life, however, easily acquire reputations as "friends of the people" by merely voting, now and then, for small increases in wages. All, however, might have voted for such increases without being in fact genuine supporters of justice to the producers of the Nation.

Many men have voted for wage increases, and yet at heart they feel that a few men were designed by the Creator to govern everybody else, and they think that all the rest of the people should be humbly thankful for whatever the few are willing to let them have. Nevertheless, many good people, sincerely desiring greater opportunities and justice for the employee class, are misled because defenders of special privilege and autocracy may at times have rightly voted for moderate increases in the wages of Federal employees and are therefore called "friends of labor."

Note, however, how eagerly these same men strive to give to private individuals that great and valuable natural resource known as Muscle Shoals. Observe the frantic efforts to prevent the passage of the bill now before the House providing for the building of Boulder Dam, which would safeguard 60,000 people against death by floods; provide water needed for household purposes by the 1,800,000 people of southern California, provide for watering 400,000 acres of arid land and which would make possible the development of water power to the extent of more than 1,000,000 horsepower by which electric current can be generated and sold very cheaply to the people of southern California and without loss to the Government.

By building a dam 550 feet high at Boulder Canyon, the width of which at the bottom would be only 300 feet and the width across the top of which would be only 1,300 feet, the Government can create a reservoir large enough to hold 40,000 square miles of water, a foot deep. If it were necessary and desirable, the reservoir would hold the whole Colorado River flow for one and a half years without letting a drop of water pass the dam. It seems almost unbelievable that men would interfere with the enjoyment of such blessings by the people in order to prevent the recognition and approval of the principle that to all the people, as a matter of right, belong the values and benefits produced, by the public's natural resources, in excess of what results from individual effort or assistance. Yet there are men, who because of their desire for possession and control of nature's bounties, are willing to have thousands of their fellow men suffer death by floods; willing to deny drinking water to other millions of their fellows; willing to have almost one-half a million acres of land lie parched, useless, and idle; and are not only willing but eager to deny millions of people the benefit of cheap power and light in order that they may have a monopoly of the water power, and therefore be able to compel the people to pay an exorbitant price for power and light.

Yes, my friends, we observe men support perhaps grudgingly, but, nevertheless, they occasionally support wage increases. These same men, however, eagerly strive to give to private persons the great resources of nature.

The monopoly, by private persons, of the natural resources and the concentration of the ownership of industrial land gives such private persons the power, to a great extent, to dictate, without regard to justice, the wages of employees and also to place unreasonable prices on many kinds of service and goods.

Consider, for example, the sale of electric current for power and light developed by the water power at Niagara Falls. On the American side of the falls the water power is under the control of private owners. On the Canadian side of the same falls the water power is controlled directly by the Government of Ontario. The consumer on the American side of the river, however, pays approximately three times as much as does the consumer on the Canadian side of the river. Why this very great difference in the price paid by the users of electricity developed by water power at the same falls and in power houses only a few hundred yards apart? Comparatively little labor of any kind is required in connection with the generation of electric current from water power and, therefore, the common excuse of higher labor cost can not be advanced to explain the very high price of electric current on the American side of the falls.

The true explanation is that, on the Canadian side of the Niagara, the people receive, in cheaper electric current, the benefit of what nature itself provides, whereas, on the American side of Niagara, private persons collect huge profits from the sale of electric current, produced at practically the same place by the same force of nature. It was necessary to build power houses on both sides of the falls. Private persons built the power plant on the American side and the public built the power plant on the Canadian side. The price charged for electric current should be and is enough to pay the interest on the cost of building the power plants, both in the case of the publicly owned and operated plant of Ontario and in the case of the privately owned plant on the American side of the river.

The private owners of the American plant, however, place a high money value on the privilege of controlling the power which nature produces by the waterfall at Niagara, and then they demand from the consumers of electric current a price high enough to pay a profit on the value which the private owners have put on the privilege of controlling the power which nature itself provides. Is it morally right that one or a few men should have, in what nature itself gives, a greater share than other members of the community?

Oh, but you say private owners would be willing to sell electric current at a price sufficient to pay a reasonable profit on the money; that is, capital necessary to build the power plant and buy equipment. In order to prove how much you are mistaken I suggest that you offer private operators that proposition and then note their protests. Political economists agree that the proper remuneration to capital is the market rate of interest. I know of no private operators of public utilities or natural resources who would be satisfied with interest on the capital necessary to furnish the improvements required to operate a public utility or natural resource.

The analysis which I have given as to the rightful distribution of the benefits furnished by the force of nature at Niagara Falls applies with equal force to the cases of Muscle Shoals, to Boulder Dam, and to water power wherever it may be. Not only does the principle which I have stated apply to all the water power of the Nation, but it is equally true as to every natural resource and as to every advantage which is due to the force of nature.

It is a well-recognized fact that no wealth can be produced except by using the earth or some of its resources. The fewer, therefore, the number who control the natural resources of the country the more surely can such few arbitrarily determine the price of what is produced and also the compensation to be paid to the labor required to utilize such resources for the production of goods or service for sale to the public.

The sure safeguard against unsound and dangerous schemes for regulating business is the insistence upon only what is sound and just by those speaking for the business world. When business men, craftsmen, professional men, or others demand what is not right and just, mankind finally becomes hostile to them and refuses them even what is clearly justice.

It is well, then, to consider what is properly the field of private business and what means of production should be owned and operated by the public.

Wherever competition is clearly possible in the production or distribution of goods or service, private business is the proper agency to be employed. Where, however, the agency required to serve the public must use public property and have the exclusive right to serve the public, or in other words, must have a monopoly of the particular business in question, then the public, acting through its officials, is the proper agency to be employed.

Where we have competition, one producer or dealer, because of his desire for business, makes a price which prevents the demand by others, in the same kind of business for an exorbitant price for what they sell. In the case of a public utility, however, in which a monopoly of the business is proper and necessary, private individuals actuated by the desire for profit can not justly or safely be given that exclusive right or monopoly of the business.

Return for a moment to consider the effect of the private ownership of natural resources and the concentration of the ownership of land desirable for industrial purposes. Is it not clear that, if we continue such a policy, men can grant to employees an increase in pay and then take it back from the public by increasing the price of what they sell? Do not forget that the employees referred to, constitute a part of the public and that all the different groups of employees constitute practically the whole public.

We should, therefore, assure the public ownership and operation of the natural resources and monopolies and thus in the case of water, for example, assure cheap power to manufacturers and cheap light to business houses and to domestic consumers.

Then, too, instead of increasing men's taxes because they build mills and factories and make other improvements, we should reduce their taxes. If we must add a penalty to taxes, it should be added to the taxes of men who fail or refuse to make use of land adapted to industry. We should not, by increasing his taxes, discourage the man who by using his land produces more goods and also creates a demand for labor. New demands for labor would lessen the competition for employment at other work places and would finally abolish unemployment, and therefore increase wages. If workmen were all employed and well paid, they could and would buy freely, and so create a good market for all kinds of goods and thus stimulate production, and therefore benefit both the employers and employees of the country. The increase in production would also lessen the price of merchandise to the public. Those only would receive less who had speculated on the rise in the value of their property because of other men's industry and enterprise in improving their neighboring property.

If we should adopt the policy I have briefly suggested, then we would before long have no unemployment problem and no wage problem. If Government employees were then not paid fair salaries, they could be sure of finding employment at better pay with private business. The Government then, in order to keep its trained employees, would raise their wages to a reasonable standard. Moreover, their increases in pay would not, as now, be continually taken from them by increases in prices for the necessaries of life.

The noblest service public men can render to the people is to help to establish justice. Surely we do not help to establish justice when we advocate giving to a few men a special interest in the people's valuable resources and thus enable them year after year to take tribute from the people for the use of their own property. I, too, favor economy, but I am for the true economy, which means the avoidance of waste. It is the worst kind of extravagance to give to a privileged few the people's treasure, which, if used for the benefit of all, would reduce the cost of living to all. It is false economy to hold down the wages of Government employees while we give away water power which, if used for the benefit of the people, would mean cheap light to millions, reduced factory costs for employers, and therefore lower-priced goods for the public.

My friends, let us keep the valuable resources that belong to the people of the Nation, and let us use for the benefit of the public what belongs to the public. [Applause.]

The CHAIRMAN. The question is on the amendment offered by the gentleman from New York.

The amendment was rejected.

The Clerk read as follows:

SEC. 7. That the Secretary of the Interior may, in his discretion, when repayments to the United States of all money advanced, with interest, shall have been made, transfer the title to said canal and appurtenant structures to the districts or other agencies of the United States having a beneficial interest therein in proportion to their respective capital investments under such form of organization as may be acceptable to him. The said districts or other agencies shall have the privilege at any time of utilizing by contract or otherwise such power possibilities as may exist upon said canal, in proportion to their respective contributions or obligations toward the capital cost of said canal and appurtenant structures from and including the diversion works to the point where each respective power plant may be located. The net proceeds from any power development on said canal shall be paid into the fund and credited to said districts or other agencies on their said contracts, in proportion to their rights to develop power, until the districts or other agencies using said canal shall have paid thereby and under any contract or otherwise an amount of money equivalent to the operation and maintenance expense and cost of construction thereof.

The following committee amendment was read:

Page 11, line 2, strike out the word "of" and insert the word "in."

The committee amendment was agreed to.

Mr. LANKFORD. Mr. Chairman, I move to strike out the last word. Mr. Chairman and gentlemen of the committee, I am in favor of this bill. The bill at first appears to involve many difficult questions, but to my mind it finally has resolved itself into one question, and that is the question of who shall build a dam at Boulder Canyon on the Colorado River.

To my mind there is no doubt about the proposition that there will be built at or near Boulder on the Colorado River a great dam. That dam will either be built by the Government under the terms of this bill or it will be built by private capital.

All agree that it is necessary to build a dam on the Colorado River in order to control the flood menace of the Imperial Valley. The very people who oppose the building of the dam under the terms of this bill advocate and are willing for a dam to be built there to control the flood situation.

Those who oppose the construction of this dam admit that there should be such a dam built as may be necessary to assist and help in the irrigation of that fertile valley near the Colorado River. So it is settled that Boulder Dam will be built.

This case narrows itself down to a proposition of whether that dam shall be built under the terms of this bill or be built by private capital. If Mr. SWING was only seeking to pass a bill for flood control, there would be no real controversy about it. If he was seeking to build a dam for irrigation purposes, there would be no serious contention about the construction of the dam.

Then why does this controversy arise? What brings about the bitter contest? The suggestion that there be built by a governmental agency a dam which will produce power and which will pay for itself lashes the great power interests into a frenzy of apparent indignation.

Why not let the Government under the terms of this bill build the dam? I am convinced that that dam built in accordance

with the terms of this bill will be paid for by the people as set out in the bill. The Government will be fully protected and the people retain this great asset?

The CHAIRMAN. The time of the gentleman has expired.

Mr. LANKFORD. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. LANKFORD. If the dam is built under the terms of this bill and electrical energy is sold, the consumers will eventually pay for that great dam, and when they pay for it the dam will still belong to the American people.

Mr. DOUGLAS of Arizona. Will the gentleman yield?

Mr. LANKFORD. I can not; I have only 10 minutes. If the gentleman has any questions and will submit them in writing I will answer them later when I have more time at my disposal. [Laughter.]

If the private interests build the dam they will charge such a rate for the electrical energy as to make the consuming public pay for the dam in a little while, and then the corporation which has built the dam will still own it. They will continue to charge that amount for the electrical energy and make the consuming public pay for it in full again and again and again every few years, as time rolls on.

All kinds of arguments are being made against the construction of the dam. One faulty argument is that if you build a dam under the terms of this bill it will bring about the production of a large amount of cotton in the Imperial Valley, thereby causing an overproduction and consequently low prices. The construction of a flood-control dam used for irrigation purposes will produce just as much cotton in the Imperial Valley as a dam built under this bill. The construction of a dam by private interests which they are willing to build will bring about the production of the same amount of cotton that the construction of the dam under the terms of this bill will bring about.

Mr. Chairman, my people are cotton growers, and having their welfare at heart and not wanting them to be misled, and not wanting southern Members of Congress misled on this proposition, I wish to discuss rather fully the cotton-production phase of this proposition.

From time to time we have heard suggestions from those who are opposing the Boulder Dam and the all-American canal that the construction of this great project would mean an increased production of cotton along the lower Colorado River, and particularly in Imperial Valley. We are told that our people of the South should oppose the measure on this ground: That if the Boulder Dam and the all-American canal should not be built, then the South is saved this competition. In 1927 the Alabama Press Association, after its members had been told that the Boulder Dam project would mean enormous competition in the production of cotton, passed a resolution opposing the project upon that ground. Let us see about the matter.

Along about 1910 cotton was introduced into Imperial Valley and was found to be quite successful. At the same time, it was introduced into the Imperial Valley on the Mexican side of the international line and was found to be equally successful, but with the decided advantage of unusually cheap labor, the labor consisting mostly of orientals and native Mexicans. The reports indicate that in the five-year period of 1922 to 1927 more than 4,400 Chinese laborers alone were imported into this section of Mexico.

During the stimulus of the war cotton planting increased on both sides of the line very materially until in 1920 there was slightly more than 100,000 acres in cotton in Imperial Valley, Calif., and almost 200,000 in Mexico.

After the war, however, cotton production on the American side, because of the cost of labor, cost of irrigation water, and other items, reduced the acreage materially from year to year, so that in 1924 the acreage in Imperial Valley, Calif., had dropped to 75,801; in 1925, to 47,253; in 1926, to 23,693; and the acreage in 1927 was only 20,300 out of some 400,000 acres in general crops.

On the Mexican side we find a slight reduction in 1924, or 170,126 acres in cotton; in 1925, 197,430 acres; in 1926, 145,348 acres; and in 1927, 112,015 acres.

During the year 1925 there was ginned in the Imperial Valley, Calif., 10,500 bales, as against 84,331 bales immediately across the line in Mexico. In 1926 there were ginned in Imperial Valley, Calif., 6,838 bales, as against 84,842 bales across the line in Mexico.

A report of December 31 last, as published in the Glexico Chronico, a newspaper published in Imperial Valley, indicates that for the present season up to that date there had been ginned in Mexico 25,206 bales, as against 2,733 bales for Imperial Valley, Calif.

In 1920 there were 22 cotton gins in operation in Imperial Valley, Calif., and in 1927 there were only 4.

These figures all indicate that cotton production in Mexico is somewhat of an established fact, but in Imperial Valley, Calif., it never has been a serious factor, and is very much on the decline. The reason for this is obvious. Imperial Valley has a 12 months' growing season; they irrigate their crops every month in the year; they have long, hot summers, and sunshine practically all of the time. This condition is ideal for the growing of fruits and winter vegetables and for growing two or more crops per year on the same parcel of ground. With these conditions, with the long summers and the abundant sunshine, catalyzed crops of high value can be as easily produced as crops of lower value.

The lands are reclaimed from the desert, which requires a considerable expenditure of money. Therefore land values are reasonably high; labor cost in that region is necessarily high; and since all moisture must be artificially applied, a great deal of money is necessarily expended for irrigation works and irrigation service, and yet the land will produce little, if any, more cotton per season than will a similar area of land in the Southern States, where the expense of production is only a fraction of the cost in Imperial Valley.

Mr. R. B. Vail, president of the Alabama Press Association, visited the Imperial Valley in November, 1927, for the express purpose of obtaining first-hand information on this subject, and the Los Angeles Examiner of November 26, 1927, contained a news story following an interview with Mr. Vail, wherein we take it Mr. Vail is correctly quoted.

Mr. Vail in his interview with the correspondent of the Examiner at the Rosslyn Hotel in Los Angeles, and on various occasions and to numerous persons since, has repeatedly called attention to the false propaganda circulated throughout the South that realization of the Boulder Dam project would mean southwestern cotton competition. He has invariably declared that there is no foundation for any fear of competition from cotton growers as a result of the Boulder Dam and that the deliberate purpose to deceive is the only reason for the circulation of such false propaganda.

Mr. Vail declares his purpose to prevent, so far as possible, these false reports and newspaper items doing a rank injustice to the cause of those seeking the passage of legislation to authorize the construction of Boulder Dam. He points out that there is no likelihood of any bulk production of cotton in the Southwest that might damage the cotton interest of the South.

Mr. Chairman, Mr. Vail and all the rest of us who have visited southern California found that the lands in Imperial Valley which would be irrigated as a result of this dam are entirely too valuable and too expensive to be used in the production of cotton with the expensive labor of southern California. This land is extremely fertile and is very valuable for the production, from January to January, of cantaloupes and all other forms of vegetables and fruits. The farmers of this valley can not pay for their lands, pay for their labor, and for all their water and produce cotton at a price below 40 or 50 cents a pound except on very small areas of land temporarily not used for fruits or vegetables.

Following his visit to California, Mr. Vail reported his findings to the association of which he was president, and in January, 1928, the Alabama Press Association, by resolution, again spoke upon this subject, rescinding their former resolution and stating that there appeared to be no reason for them to oppose the legislation because of danger to the cotton growers of the South.

In an article published in the Macon Telegraph on Sunday, January 1, 1928, and also in the Journal-Herald, of Waycross, Ga., Mr. Nelson M. Shipp told of his trip to the Imperial Valley and to that portion of Mexico watered now by the Colorado River. He gave it as his opinion, after a month of careful first-hand investigation, that this region is not now and never will become a cotton competitor of the South.

Mr. Chairman, I visited this section last summer and I fully agree with Mr. Shipp and all others who have given an impartial first-hand study of this problem that there is no chance of cotton competition by the West as against the South. Cotton is planted in the Imperial Valley as a side crop or to wash the alkali out of the soil through irrigation. Cotton is not the money crop of the West, and no amount of irrigation will make it such. Mr. Shipp pointed out that Georgia produces some wheat, but will never become a wheat competitor of the West, and while the West produces some cotton it will never be in sufficient quantities to injure the price of cotton grown in the South.

Mr. Chairman, while the building of the Boulder Dam in connection with the all-American canal will stabilize and make dependable the water supply for irrigation purposes in the Imperial Valley and will make possible the irrigation in time of some additional lands of the same general character, at the same time the construction of this project will make possible a definite limitation on expansion of uses of water in Mexico where cotton farming is now and has been for some time past the principal crop. The failure to construct these works means continued expansion of the Mexican production, as at the present time Imperial Valley is of necessity at the lower end of the canal, which first supplies Mexico with water. In order to take water through Mexico it was necessary to enter into a contract with that country whereby one-half of the water should be left there for use. Under this contract Mexico has the perfect right to double its present use, and she has the lands sufficient to increase her production four times.

It is an irony of circumstances that a small Orient is being built up in Mexico on our border supported by the great white staple of the South, which, in turn, is produced on a paternalistic basis with irrigation water transported for miles at a large cost by reluctant American farmers. Under an old concession from Diaz the American farmers of the Imperial Valley ran their main-line irrigation canal 60 miles through Mexico, with the agreement that lands in Mexico should be entitled to one-half of all the water flowing through the canal. For every acre irrigated in the United States the Mexicans were due water for an acre in Mexico. Years have passed, and the present finds some 200,000 acres in Mexico irrigated from this water supply as against some 400,000 acres in the United States. Applications from Mexico for irrigation, including the lands now being supplied, have grown to over 400,000 acres. The charge on the American side for the water has gradually increased, whereas the Mexican charge remains at a low arbitrary figure. Thus farming in Mexico is not based on natural and ordinary laws that should figure in competition, but Chinese coolies are growing cotton at the expense of American taxpayers in the West.

As a result of our studies we find that, instead of the Boulder Dam project increasing cotton production, it will limit the same, and such cotton as is produced will not be produced on unfair-competition grounds.

With the Imperial Valley producing, in 1926, 6,838 bales of cotton as against 17,750,000 produced in the United States, and with cotton production becoming less annually, it is only a fair conclusion that the cotton interests of the South can not be injured by the developments which will take place in that community under the Boulder Dam project and, indeed, their injury, if any, will be found in the failure to build rather than in the building of the same.

Mr. Chairman, the most criminally vicious propaganda ever conceived by the mind of man is that which, steeped in misrepresentation, leads the common people into warfare upon each other while the selfish, moneyed interests further their own designs of ensnaring, pilfering, robbing, and finally murdering both factions of the people whom they have plunged into the awful conflict. The Power Trust by its unscrupulous methods can make an argument, at least plausible on the surface, in behalf of any of its schemes to further ensnare the great consuming public. It can prove that a pig is a pig when it wants it to be a pig, or a puppy when it suits their purpose for it to be a puppy. "The devil can quote scripture for his purpose."

The power interests want to build and own Boulder Dam and do not want the improvements made under the provisions of the Swing-Johnson bill. In order to accomplish this purpose, by means of false propaganda, it is attempting to array the farmers of the South against the farmers of the West. It is succeeding temporarily, but the people will eventually know the truth, and the truth will make them free.

Mr. Chairman, it is the solemn sworn duty of Members of Congress to ascertain the truth about this matter and tell their folks of the fallacy of some of the alleged arguments that are going the rounds. I repeat, the power interests wish to plunge the farmers of the South into a bitter conflict with the people of the West and reap a rich harvest as a result of the conflict.

This selfish interest, which values the farmers of both the South and West only in terms of the money it can squeeze out of them, is telling the people of the South that the people of the West are getting the advantage, and the same group are telling the people of the West that the people of the South are about to overreach the West. An attempt is being made to deceive both groups and make them bitter enemies of each other. The people of the West are being warned that the South, by the proper solution of the Muscle Shoals problem, will be given an advantage to the detriment of the great western part of our country. The good people of the South are told that by the construction of Boulder Dam the people of the West will gain a great advantage and the people of the South will suffer as a result.

Mr. Chairman, I resent the efforts that are being made to mislead the people of the South and of the West. The peoples of these two great sections have a common cause in their efforts to save the two great power properties at Muscle Shoals and Boulder Canyon. To my mind, the time is at hand for the people of the West to join hands with the people of the South in a common fight for the rights of both sections.

With this belief firmly established in my mind, I have remained on the Committee on Irrigation and Reclamation of the House, not for the purpose of helping the West and only the West or the South and only the South, but for the purpose of endeavoring to legislate for our whole Nation. I would not have remained on the committee had I not found myself in full accord with my colleagues in their efforts in behalf of the West. I would not remain on this great committee as an obstructionist. Rather would I be a constructionist.

I realize that heretofore this committee has done much more for the West than for the South. All the while, though, I have hoped for a new day in the reclamation program of this country. There is much drainage and reclamation of waste lands awaiting governmental aid in the South, and I firmly believe that a great reclamation program is under way for that great section of our country. As a member of my committee I had the honor recently of reporting out the Crisp reclamation bill. This splendid bill by my colleague from Georgia goes much further than has ever been gone before in the matter of reclamation for the South. We have the support of governmental officials who have never before fought for such a program for the South. I believe that we will pass the Crisp reclamation bill in the near future and that it will prove to be the beginning of a program which will prove most beneficial to all the Southland. I am truly grateful to my colleagues on the committee and to other western Members for the splendid support they have given Congressman CRISP and myself in our fight for a reclamation program for the South. I now know that my efforts in behalf of the good people of the West have not been in vain, and I feel that they will continue to give to us their valuable support in our efforts for our people of the South. I am happy to have been permitted to serve on this splendid committee with the good people of the West and other sections and I am truly glad to see the first dawn of a most excellent reclamation program of the South. Our cause is just and I confidently believe that this first dawn will brighten and that it will soon be daylight everwhere.

Mr. Chairman, to my mind the Muscle Shoals and Boulder Canyon Dam propositions are identical in many respects. Both, if properly handled, means cheaper electrical energy for all the people. The Power Trusts are striving to grab both and use them to exploit the people rather than for their benefit. The cry against the Government in business is made as to both. I do not believe in our giving away the people's property in order to get the Government out of business.

The Government is already in business at Muscle Shoals. What shall we do? Shall we give away the plant, costing the taxpayers hundreds of millions of dollars, in order to get out of business? Shall we give away all Government property in order to get the Government out of business? Shall we give away the fabulously valuable oil properties, public lands, and timber properties of the Government in order to get the Government out of business? Shall we stop the United States mail system and deliver it to private interest in order that postal and parcel-post charges may be doubled several times in order to get the Government out of business? Shall we give away all Government-owned ships to get the Government out of business? Shall Congress cancel all foreign debts in order to get the Government out of business, and to enable the international bankers to collect greater interest on safer loans?

Shall we close down the rural-credit system and put an end to all Government aid to road improvements to get the Government out of business? In short, shall Congress tax the common people unto death to buy and improve great properties needed for governmental purposes, and then give these properties to the big rich in order to get the Government out of business? Shall we stop the regional-banking system to get the Government out of business?

Everyone will readily agree that the answer to these questions is "no"—a thousand times "no." Then, there is but one answer to the demand that the Government give away Muscle Shoals in order to get out of business or that we give to the power interests the great asset of Boulder Canyon, and that is an emphatic "no!"

We, as Members of Congress, are engaged in the greatest business on earth; that of governing the greatest people on

earth. The Government can not get out of business and continue to be a government. The Government is in business on every hand by day and by night for other folks; why not for the farmers and the consuming public? In effect, it is urged that it would be treasonous for the Government to engage in any business that would in the least lessen the profits of either those who sell to the masses or who buy their products at a sacrifice, but that it would be an act of the highest patriotism to perpetuate the Government in the business of helping others make additional profits out of the common people.

It is the same old story of attempting to help others on the theory that part of their profits may eventually ooze through their pockets and in some mysterious way help the farmers and the ultimate consumers. Plenty of people are willing to help the farmers and consumers if they, at the same time, help other people more. They are not willing to help the farmers and consumers if it interferes in the least with any other business.

Many, many there are who want to get the Government out of business and want to get themselves in business by grabbing our great national assets, such as our oil properties, timber and mining lands, power sites, improved and unimproved, such as Boulder Dam and Muscle Shoals, and in fact all properties of whatever nature. The Power Trust and the National Fertilizer Association would be delighted to get the Government out of business at Muscle Shoals by the Government practically giving this great God-given asset to the combined power and fertilizer interests.

These selfish interests either want Muscle Shoals and Boulder Canyon donated to them or operated for their special benefit. They would much prefer that this great plant at Muscle Shoals, paid for with the people's money and erected on a site specially prepared by the great I Am, be closed down and rot to the ground rather than for it to be operated in behalf of the farmers and ultimate consumers of electrical energy.

I am opposed to the Government's going into business as a general proposition. I believe in private initiative. The fullest protection should be given to any individual, firm, or corporation who initiates something worth while. The individual who produces something good where nothing existed before is a benefactor, and I for one will go the limit in his behalf. If the Power Trust ever prove to my satisfaction that they, the Power Trust, builded and created the rivers, the canyons, the mountains, and the waterfalls, and caused the clouds and the rainfall that makes the rivers flow with liquid power, then I will vote for them to have the earth and fullness thereof, but so long as I believe that God created these things for his children, and so long as I represent my people, I shall vote to render unto the great common people the things that are theirs and to the power interest the things that are theirs.

I do not believe in the Government's going into the business of manufacturing knives or cloth or building houses. Neither would I advocate the Government building factories and entering business in competition with other businesses where the people who builded the factory in the first instance created a factory, factory site, and everything connected therewith, if it was also necessary for the Government to go into the market and build everything from the ground. At Muscle Shoals the Government already has a most expensive plant and the Almighty gave us a most wonderful power site. At Boulder Canyon we have a power site unequaled in the world. The Government is not building power sites at either of these locations. God builded them for the people. Shall we give them to those who wish to exploit the people?

We have already used the people's money at Muscle Shoals to improve that great asset. Shall we now donate that property to the power interest or shall we retain it for all the people? The people of the great West say to us that they need so much the power and water that will be created and impounded by Boulder Dam, and the site is so valuable that if the Government will, in effect, loan them the money to build that great dam, they, the people of that country, will pay back within a reasonable time the loan, principal and interest in full, and be glad for the United States to still own the great property for the use of the whole people. The power interest say, "No; we are not willing for the Government to build that great dam; we will build it and make the people pay for it, and we will still keep the great property, and we will make the people pay for it again and again forever as we resell it every few years while we continue to own it."

Objections have been urged to the Government's constructing Boulder Dam. It is contended that this would be putting the Government in business and thus depriving the power interest of equal protection under the law. The Power Trust claims to be asking for equal rights and not for special privileges. There is only one canyon of the Colorado, and the syndicate or corporation that ever gets possession of that great asset will enjoy not only a special privilege, but the only privilege of possessing the greatest power site, with the greatest possibilities of all the earth. There is no other similar site for anyone else. The ownership of this great asset by any one group of persons will be most assuredly a special privilege. Equal rights to all in this instance can only be maintained by the ownership of all.

The Power Trust, by virtue of the ownership of Boulder Dam, would have not only the greatest power site on earth but also would have a strangle hold on the irrigation of the most fertile valley of all the earth and would hold the key to the floodgates of destruction and complete annihilation of the property and lives of all the people of Imperial Valley. It would hold in the hollow of its hands the domestic supply of water and thus the very lives and existence of the people of Los Angeles and a large part of southern California, and would be exercising the function of the President and the United States Senate in the handling of an international problem of tremendous importance.

In addition to all of these tremendous powers the Power Trust would have welded one more mighty link in the chain of Power Trust slavery by which it is seeking to bind all the people of this great Nation.

Ah, Mr. Chairman, let us retain Muscle Shoals and let us build Boulder Dam, and preserve all our great national assets for all our people. Muscle Shoals and Boulder Dam under Government operation mean cheaper power to the ultimate consumer, and cheaper and better fertilizer to the farmers. Shall we vote for the people, or shall we vote for the greatest trust of all time? Our action in these matters will show where we stand. The power interests do not desire Government operation of these two properties for two reasons. In the first place, the power people want the great profits which they can squeeze out of the people by their operation of these two properties.

Then, again, they know full well that Government operation of these sites in the manufacture of fertilizer and electrical energy means much cheaper power and fertilizers, not only for those who buy from these sites but for all the folks.

Unfortunately, Arizona and Utah are objecting to the construction of Boulder Dam. They seem to fear they will lose some of their rights if the dam is built under the terms of the Swing-Johnson bill. If the Power Trust gets this property it would not only rob the States of Arizona and Utah, but would further ensnare all the people of this great Republic.

The argument is made that the utilities commissions of the various States have ample power to control the great power interest. Unfortunately this is not true. There are many reasons why the State commissions are almost helpless. I can not argue this angle at this time. It would require hours to tell the real truth about the transfer of State rights and the loss of the people incident thereto. Anyone familiar with the Esch-Cummings Railway Act knows what I have in mind. I fought that bill, but the efforts of myself and others were of no effect.

We must begin to protect the people while we own these great assets. If we lease we must secure ironclad contracts of unimpeachable terms, or we will lose the great inheritance our people justly own. No public-utility concern should be permitted to demand from the people a return on any value except for actual prudent investments. We may not be able to achieve this great right as to properties already owned by power interests. We certainly owe it to our people to protect them as to future transactions. But in my limited time I can not further discuss this great problem of rates, and so forth.

Mr. Chairman, the Boulder Dam problem is one of the most interesting ever presented to the Congress. There is only one Boulder Canyon. There is only one Colorado River, and only one Grand Canyon of the Colorado. The whole picture is most interesting, and I wish I had for a few brief hours the gift to put in words what God hath wrought in His great masterpiece—the Colorado from the mountains through the canyon to the sea.

Oh, that it was given to man this side of heaven to picture its beauty, tell of its mission, grasp its power, and see as God sees its offerings to the ages. All humanity can not fathom it for a single second of time, neither can all wisdom tell the history of a single grain of its sands. It extends from eternity to eternity as God's own. I have stood for hours gazing into its mighty canyon, 12 to 14 miles wide and a mile deep, into which it seems that the Great Builder has grouped all the beauty of all the earth. I am sure I shall never see any other scene in this life half so impressive except the starry heavens, and that nothing beyond the grave will excell it but God's own glory and the splendor of life without end, eternal and in the heavens.

Mr. Chairman, I can never feel that this great handiwork should become the property right of the few rather than the birthright of all. But the greater the cause of conflict, the greater the battle. Those who desire this great asset for their own selfish interest are in the fight to the finish and care not for the wounded and dying, just so they are driving toward their objective. They are fighting to the finish and seeking to cause us to make war against each other.

The Power Trust by insidious, deceptive propaganda is attempting to prod the people of the South, of the West, and of the whole Nation into a mighty, riotous conflict, in the awful darkness of misguided prejudice, where the common people will face certain ignominious defeat, with friend defeating friend, farmer destroying farmer, and brother killing brother, while the archconspirators of the fratricidal conflict grabs the two greatest assets of the American people.

The all-wise Father of us all gave to the American people these two great assets—the great Colorado and the wonderful Tennessee Rivers. Shall we as Representatives of our great people donate these God-given properties to the power interest to become an all-powerful force for the enslaving of the people whom God intended them to serve, or shall they remain unto the people, now and forever, a covenant of deliverance?

Let us protect property rights by retaining for all the people the property which God gave to all.

This is not a nation of property but of people. As legislators let us battle for rights of property only as the agency by which and through which there is preserved and strengthened every God-given right of the whole people.

The CHAIRMAN. The time of the gentleman from Georgia has expired. The Clerk will read.

The Clerk read as follows:

SEC. 8. (a) All appropriations of water from the Colorado River, incident to or resulting from the construction, use, and operation of the works herein authorized, shall be made and perfected in and in conformity with the laws of those States which may or shall have approved the Colorado River compact ratified in section 12 of this act.

(b) The United States, its permittees, licensees, and contractees, and all users and appropriators of water stored, diverted, carried, and/or distributed by the reservoir, canals, and other works herein authorized, shall observe and be subject to and controlled by said Colorado River compact in the construction, management, and operation of said reservoir, canals, and other works and the storage, diversion, delivery, and use of water for the generation of power, irrigation, and other purposes, anything in this act to the contrary notwithstanding, and all permits, licensees, and contracts shall so provide.

(c) Also the United States, in constructing, managing, and operating the dam, reservoir, canals, and other works herein authorized, including the appropriation, delivery, and use of water for the generation of power, irrigation, or other uses, and all users of water thus delivered and all users and appropriators of waters stored by said reservoir and/or carried by said canal, including all permittees and licensees of the United States or any of its agencies, shall observe and be subject to and controlled, anything to the contrary herein notwithstanding, by the terms of such compact, if any, between the States of Arizona, California, and Nevada, for the equitable division of the benefits, including power, arising from the use of water accruing to said States, subsidiary to and consistent with said Colorado River compact, which may be negotiated and approved by said States and to which Congress shall give its consent and approval on or before June 1, 1928; and the terms of any such compact concluded between said States and approved and consented to by Congress after said date: *Provided,* That in the latter case such compact shall be subject to all contracts, if any, made by the Secretary of the Interior under section 5 hereof prior to the date of such approval and consent by Congress.

(d) Nothing in this act shall be deemed to waive any of the rights or powers reserved or granted to the United States by paragraph 7 of section 20 of the act providing for the admission of Arizona, approved June 20, 1910, and by the tenth paragraph of Article XX of the constitution of Arizona, but the Secretary of the Interior is authorized on behalf of the United States to exercise such of said rights and powers as may be necessary or convenient for the construction and use of the works herein authorized and for carrying out the purposes of this act.

With the following committee amendment:

Page 12, line 23, after the word "Nevada," insert the words "or any two thereof."

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The Clerk read as follows:

Page 13, line 9, strike out the period, insert a colon, and the following: *"Provided further,* That in the event no such compact is entered into prior to June 1, 1928, then there shall be reserved for acquisition by the States of Arizona and Nevada, their respective agents, licensees, or assignees, at the switchboard, at the plant or plants operated through the use of water impounded by said dam for each, electrical energy equivalent to 15 per cent of the total electrical energy made available by the use of such impounded water, to be contracted for by said respective States, or their agents, licensees, or assignees, within six months after notice by the Secretary of the Interior, and to be paid for as and when said electrical energy is ready for delivery. If said plant or plants are operated by the Government, then said electrical energy shall be delivered on the terms and charges provided in the general regulations for delivery of electrical energy at the switchboard to municipal corporations and political subdivisions."

Mr. SWING. Mr. Chairman, the committee amendment just reported by the Clerk has been recalled by the committee, and we wish to have that amendment voted down.

The CHAIRMAN. The question is on agreeing to the committee amendment.

The committee amendment was rejected.

Mr. SWING. Mr. Chairman, on page 13, line 3, there is found the date June 1, 1928, the time limit to permit Arizona, Nevada, and California to reach a three-State compact. That time is too close. I move to amend by striking out that date and inserting "January 1, 1929." I hope we may reach an agreement by that time.

The CHAIRMAN. The gentleman from California offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment by Mr. SWING: Page 13, line 3, strike out "June 1, 1928," and insert "January 1, 1929."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk read as follows:

SEC. 9. That all lands of the United States found by the Secretary of the Interior to be practicable of irrigation and reclamation by the irrigation works authorized herein shall be withdrawn from public entry. Thereafter, at the direction of the Secretary of the Interior, such lands shall be opened to entry, in tracts varying in size but not exceeding 160 acres, as may be determined by the Secretary of the Interior, in accordance with the provisions of the reclamation law, and any such entryman shall pay an equitable share in accordance with the benefits received, as determined by the said Secretary, of the construction cost of said canal and appurtenant structures; said payments to be made in such installments and at such times as may be specified by the Secretary of the Interior, in accordance with the provisions of the said reclamation law, and shall constitute revenue from said project and be covered into the fund herein provided for: *Provided,* That all persons who have served in the United States Army, Navy, or Marine Corps during the war with Germany, the war with Spain, or in the suppression of the insurrection in the Philippines, and who have been honorably separated or discharged therefrom or placed in the Regular Army or Navy Reserve, shall have the exclusive preference right for a period of three months to enter said lands, subject, however, to the provisions of subsection c of section 4, act of December 5, 1924 (43 Stat. L. 702); and also, so far as practicable, preference shall be given to said persons in all construction work authorized by this act: *Provided further,* That in the event such an entry shall be relinquished at any time prior to actual residence upon the land by the entryman for not less than one year, lands so relinquished shall not be subject to entry for a period of 60 days after the filing and notation of the relinquishment in the local land office, and after the expiration of said 60-day period such lands shall be open to entry, subject to the preference in this section provided.

Mr. BURTNESS. Mr. Chairman, I move to strike out the last word. This section has to do with the withdrawal of lands from entry by the Secretary of the Interior, but following the provision for the withdrawal, it provides further that thereafter, at the direction of the Secretary of the Interior, such lands shall be open to entry in tracts varying in size, and so forth. I am interested in not seeing a large increase of agricultural lands put to use at a time when one of the difficulties with agriculture is the surplus of crops now being raised. Could the gentleman in charge of the bill tell me what is contemplated with reference to the time when the lands will be thrown open subject to entry under the reclamation act?

Mr. SWING. It would be impossible to reclaim a single acre of this land under 10 years from the time that this bill becomes a law, because it will take that long to construct the works herein authorized. Thereafter, in my opinion, there will be no land reclaimed until Congress sees fit to authorize a reclamation project and authorize appropriations for and the distribution of the systems which are included in this bill.

Mr. BURTNESS. That was the general understanding I had, but I am glad to get the assurance of the gentleman from

California with reference to it. Can it be safely said, in the gentleman's opinion, that in so far as the actual putting of more agricultural land into use is concerned, there is no chance of that being done in less than 10 years and possibly not for 15 or 20 years?

Mr. SWING. That is correct.

Mr. SMITH. Even then the Congress will have to authorize the works.

Mr. BURTNESS. That would be reclamation project?

Mr. SMITH. Yes.

Mr. BURTNESS. There is no limitation in the bill as to when the Secretary of the Interior could throw the lands open to entry.

Mr. SMITH. Under the present policy they do not open the land to entry until the water is upon the land.

Mr. ARENTZ. The land will not grow anything without water.

Mr. BURTNESS. But have we any assurance that as soon as the works now contemplated by the bill are available, every interest in that country will not come to Congress with a view of having reclamation projects done at the earliest possible date and start a tremendous propaganda for the development of this entire section, regardless of what the agricultural situation may be at the time?

Mr. ARENTZ. As long as we have the gentleman from Michigan [Mr. CRAMTON], the gentleman from New York [Mr. SNELL], and the gentleman from Connecticut [Mr. TILSON], who have made definite statements on the floor that reclamation must cease for the time being, we are not apt to have anything new in the way of reclamation for several years to come.

Mr. BURTNESS. I am glad to have that assurance. It would be a big mistake to make large agricultural development possible at this time. Your statements will make it much easier for me to vote for the bill.

Mr. DOUGLAS of Arizona. Mr. Chairman, will the gentleman yield?

The CHAIRMAN. The time of the gentleman from North Dakota has expired. Without objection, the pro forma amendment will be withdrawn.

There was no objection.

Mr. CRAMTON. Mr. Chairman, I offer an amendment on page 14, line 17, to strike out "160 acres" and insert in lieu thereof "80 acres."

The CHAIRMAN. The gentleman from Michigan offers an amendment, which the Clerk will report.

The Clerk read as follows:

Page 14, line 17, strike out "160" and insert in lieu thereof "80."

Mr. CRAMTON. Mr. Chairman, in connection with that, I wish to say that I offer the amendment in part in order to get the information I desire, and with satisfactory assurances I may not urge the amendment. But in that country, southern California and Arizona, 40 acres is oftentimes sufficient, and 80 acres almost always is all that one settler can take care of; and to permit 160 acres when 40 acres is sufficient is simply giving to the bill an element of land speculation and defeating the purpose of reclamation, that of getting actual settlers on the land.

Now, can the gentleman tell me something about what is meant by "tracts varying in size"? Will there be much of it in 160-acre tracts?

Mr. SWING. I will say to the gentleman that a soil survey has been made of the public lands which are withdrawn by section 9, and it is found that most of the land is intensely fertile. There is a limited area, however, which is spotted with alkali, and on that it would require more than on other land to support an average family.

The intention of the Secretary of the Interior is to have the land platted when occasion arises for it to be opened and the land divided into tracts of sufficient size to support an average family. The majority of the plats will be 40 acres, and some 80 acres, and others 160 acres.

Mr. CRAMTON. With that explanation, Mr. Chairman, I will withdraw my amendment.

The CHAIRMAN. Without objection, the amendment will be withdrawn.

There was no objection.

Mr. CRAMTON. I have been absent from the Chamber in a conference committee, and while I am on my feet I may say that I have noted that section 7, the paragraph which permits such portions of the structures to be transferred to districts or other agencies in the United States having a beneficial interest therein, my understanding is that the gentleman's theory is that that means a governmental agency?

Mr. SWING. Yes; a governmental agency.

Mr. CRAMTON. Not a private agency?

Mr. SWING. No.

Mr. CRAMTON. There will be no opportunity for turning these works over to a private corporation?

Mr. SWING. None that I know of.

Mr. CRAMTON. The gentleman's understanding of the language is to that effect?

Mr. SWING. Yes.

Mr. CRAMTON. Mr. Chairman, I will ask unanimous consent to return to page 11 for the purpose of offering an amendment, to insert, after the word "other," in line 2, the words "governmental or public."

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to return to section 7 for the purpose of offering an amendment. Is there objection?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Michigan [Mr. CRAMTON].

The Clerk read as follows:

Amendment offered by Mr. CRAMTON: Page 11, line 2, after the word "other," insert the words "governmental or public."

The CHAIRMAN. The question is on agreeing to the amendment offered by the gentleman from Michigan.

The amendment was agreed to.

The CHAIRMAN. The Clerk will read.

The Clerk read as follows:

SEC. 13. This act shall be deemed a supplement to the reclamation law, which said reclamation law shall govern the construction, operation, and management of the works herein authorized, except as otherwise herein provided.

Mr. DOUGLAS of Arizona. Mr. Chairman, I offer an amendment.

The CHAIRMAN. The gentleman from Arizona offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DOUGLAS of Arizona: Page 19, after section 13, insert a new section as follows:

"SEC. 13. No construction shall be commenced until there shall have been negotiated with the Republic of Mexico a treaty relative to the allocation of the waters of the Colorado River to Mexico, and relative to a restriction of the amount of water to which Mexico shall acquire title, and until such treaty shall have been ratified and approved by the Senate of the United States and the proper ratifying authority of the Republic of Mexico."

Mr. LAGUARDIA. Mr. Chairman, I make a point of order on that.

The CHAIRMAN. The point of order is overruled. This is a limitation on the power of the Secretary.

Mr. LAGUARDIA. Mr. Chairman, this is an appropriation bill.

The CHAIRMAN. The gentleman from Arizona is recognized.

Mr. DOUGLAS of Arizona. Mr. Chairman and gentlemen of the committee, this amendment is one of the most important ones that can be added to the bill, if the interests of the United States are to be protected.

There is now no treaty with the Republic of Mexico relative to the allocation of the waters of the Colorado River. All of the minimum flow of the Colorado River has been appropriated. Mexico can therefore apply to beneficial use and acquire title to no more of the waters of the Colorado River unless there be constructed a dam. Am I correct in this? I am sure I am. I shall quote Dr. Elwood Mead, who appeared before the Committee on Irrigation and Reclamation on May 16, 1928, in which the following colloquy occurred. I said:

Mr. DOUGLAS. Of course all of the minimum flow of the Colorado has been appropriated.

Doctor Mead replied:

Now you are coming into a thing.

I said:

That is a legal question. The courts will have to determine; but approximately that is true.

Doctor MEAD. Yes.

So that the first point in my argument is approximately true. Inasmuch as the minimum flow has been appropriated, title to additional waters can not now be acquired in Mexico.

What will be the situation if the dam be constructed? On page 23, of the ninth volume of the Weymouth report, upon which this bill is predicated, there is the statement that a minimum of 10,010,000 acre-feet of water must be discharged from Boulder Dam in order that there be developed the power upon which the financial set-up of the Director of the Bureau of Reclamation is predicated. Doctor Mead did not deny this. I refer you again to the hearings before the Committee on Irrigation and Reclamation of May 16, 1928. So it is estab-

lished that there must be withdrawn from the dam 10,010,000 acre-feet of water to develop power. If that amount of water be decreased then the whole financial program is upset and the project ceases to become, even admitting the dogmatic statements of the proponents, financially solvent.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. How much of the 10,000,000 acre-feet of water can be applied to beneficial use within the United States? Not more than 5,000,000 acre-feet under existing projects, and including the construction of the Boulder Dam. The proof of that is that in the Senate bill there is an amendment which limits California to 4,600,000 acre-feet of water.

The only other State that can use any water is Arizona. The amount of land under reclamation and irrigation in Arizona to-day through the use of waters from the Colorado is practically negligible. So the statement that not more than 5,000,000 acre-feet of water can be used in this country is accurate. That means that there are 5,000,000 surplus acre-feet of water which must be disposed of. That surplus may be disposed of in one of two places, either in the Salton Sea or Mexico. It can not be disposed of in the Salton Sea. I refer the committee to page 271 and page 272 of the hearings on H. R. 5773, in which the committee will find a contract between the Imperial irrigation district and the Southern Pacific Railroad, which limits the stage to which the Imperial irrigation district can permit the surface of the Salton Sea to rise. I refer the gentlemen of this committee to the report of the United States Geological Survey, made by Mr. George F. Holbrook, the assistant engineer of the United States Geological Survey, dated July 18, 1927, in which he says, and this is a quotation:

> The contract between the Southern Pacific Co. and the Imperial irrigation district, granting a flowage right of way to the district, will be an impediment that will have to be removed before the irrigation district can waste any more water into the Salton Sea at present.

Then he goes on to state what the evaporation is. This water can not be disposed of in the Salton Sea because to do so would result in a violation of that contract. In the second place, to do so would result in a gradual inundation of the Imperial Valley.

Dr. Elwood Mead, in his testimony before the committee on May 16, 1928, in reply to my question as to what was to be the disposition of the 10,010,000 acre-feet, replied:

> Well, the water goes to meet the needs of the land already irrigated and the lands proposed to be irrigated in Arizona and California, and the rest of it goes down to Mexico.

The CHAIRMAN. The time of the gentleman from Arizona has again expired.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to proceed for five additional minutes.

The CHAIRMAN. The gentleman from Arizona asks unanimous consent to proceed for five additional minutes. Is there objection?

There was no objection.

Mr. DOUGLAS of Arizona. In other words, Dr. Elwood Mead himself testified that the water had to go to Mexico.

Now, let us see what Mr. Herbert Hoover said on page 614 of the hearings, United States Senate, Colorado River Basin, 1925:

> I think if we stabilize the river at all it will be likely to increase the flow into Mexico during the low-water season.

Then he went on to say that water could be held back in a dam if there were storage capacity, but the minute the water is held back then power is not developed and the project ceases to become a financially solvent one.

Mr. WINTER. Will the gentleman yield?

Mr. DOUGLAS of Arizona. Yes.

Mr. WINTER. If the water does proceed down the river to Mexico it will improve navigation, will it not?

Mr. DOUGLAS of Arizona. I will come to that point, Judge, in just a second. I am glad the gentleman has asked the question.

The Federal Power Commission in its letter to the chairman of the committee, dated March 24, 1924—this is not the letter of the Secretary of the Interior dated March 17, 1924—stated very explicitly, "The regulation of the Colorado River to the extent proposed by the Boulder Canyon Dam will produce in the lower river a minimum discharge far in excess of present irrigation requirements in the United States. The surplus waters will pass into Mexico and will undoubtedly be put to use for irrigation there."

Mr. COHEN. Will the gentleman yield?

Mr. DOUGLAS of Arizona. Yes.

Mr. COHEN. May I ask, is that land in Mexico suitable for raising cotton?

Mr. DOUGLAS of Arizona. I am coming to that in a moment. So that it is established that the surplus waters, at least 5,000,000 acre-feet, must flow into Mexico.

Now, how is it to be applied to beneficial use there? Dr. Elwood Mead, before the Committee on Irrigation on May 16, 1928, admitted there were at least 600,000 acres of land owned by one company on the delta to which water could be very easily, very speedily, and cheaply and immediately applied. He said, "I think I can make a stronger statement for a treaty than you can."

In addition to this 600,000 acres there are approximately 500,000 acres not owned by this company and more on the east bank of the Colorado. Let me explain that the delta is broad and flat and that water can be applied to beneficial use very easily, very quickly, and very cheaply, and that Dr. Elwood Mead has admitted this to be the case.

There is one further statement I want to make about this phase of the matter. The 5,000,000 acre-feet of water that flows to Mexico is ample to irrigate a minimum of 1,000,000 acres of land. Bear this in mind.

Now, what is to be grown on the delta of the Colorado? I have heard the statement that the crops grown are not competitive, but I refer the members of the committee to a pamphlet written by the California Development Association in 1926, in which it is stated that cotton will be the chief crop on the delta. Now, you can call this Power Trust propaganda if you choose, but it is the truth. This pamphlet further stated that the yield per acre on the delta was one bale to the acre.

The CHAIRMAN. The time of the gentleman from Arizona has expired.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to proceed for an additional five minutes.

Mr. SWING. Mr. Chairman, I want to be fair with my opponent, and I think I have been fair. There are men here at great inconvenience to themselves who expect to take a train from town but are waiting to vote upon this measure, which is considered to be of national importance.

Mr. DOUGLAS of Arizona. Agreed; and if this question of Mexico is not one of national importance, I do not know what is.

Mr. SWING. I wonder if the gentleman can not close in two minutes?

Mr. DOUGLAS of Arizona. I shall close just as rapidly as I possibly can.

Mr. SWING. I would not object to the gentleman having two minutes, but I must object to five minutes.

The CHAIRMAN. Objection is heard. The Clerk will read.

Mr. DOUGLAS of Arizona. I beg the Chair's pardon.

The CHAIRMAN. There is an amendment pending.

Mr. FRENCH. Mr. Chairman, I want five minutes at some time on this proposition. I do not want to get ahead of the gentleman from Arizona [Mr. DOUGLAS], but at some time I would like about five minutes on the matter.

Mr. DOUGLAS of Arizona. Mr. Chairman, I ask unanimous consent to proceed for an additional two minutes.

The CHAIRMAN. Without objection, the gentleman is recognized for two additional minutes.

There was no objection.

Mr. DOUGLAS of Arizona. I have conclusive evidence that the yield per acre in the Salt River Valley and on the Yuma project in Arizona is four-tenths of a bale per acre.

This 5,000,000 acre-feet of water is going to be applied to beneficial use in Mexico. It is going to bring in at least 1,000,000 acres of land, and as a result of this, members of the committee, you are going to find approximately 800,000 bales of cotton, if not more, brought upon the market. I submit to the members of the committee and to the Members of the House if you pass the amendment you will be protecting not only the seven States of the Colorado River Basin against the day when they can use this water but you will also be protecting the cotton growers of the South who have been pleading for relief. You can not give them relief and at the same time reject this amendment and take away such relief.

Mr. SMITH. Mr. Chairman, may I ask the gentleman a question? Was the gentleman here when the gentleman from

Alabama [Mr. BANKHEAD] discussed the very proposition he has mentioned?

Mr. DOUGLAS of Arizona. I was, sir.

Mr. SMITH. Did the gentleman hear the report which he made after being out there personally, and also the report made by an expert who went out there?

Mr. DOUGLAS of Arizona. Not an expert, Mr. Chairman, and not Mr. BANKHEAD.

Mr. SWING. Mr. Chairman, we have had during the consideration of this bill repeated and various proposals made with reference to tying up this project to some immovable proposition. We have had it proposed to refer the matter to the Department of War, we have had it proposed to refer it to the Department of Justice, and now, and most extraordinary of all, it is proposed to leave the project in the hands of Mexico, so that Mexico could prevent the project from being begun until she sees fit to sign a treaty. Why should we leave this matter, which is so vital and so necessary to the lives and property of citizens of the United States to the decision of Mexico? Why should we leave the time when this work is to begin to be determined and fixed by a foreign country which is adversely interested in having the project constructed? [Applause.]

Mr. FRENCH. Mr. Chairman, it is a matter of the greatest concern whether or not in passing this bill we propose something that in another 15 or 25 years will be a source of possible international dispute between this country and Mexico.

If I understood the gentleman from Arizona [Mr. DOUGLAS], the power to be developed at Boulder Dam will require a flow of 10,000,000 acre-feet, and of this amount 5,000,000 acre-feet will not be used within the United States during the near future. Economic demand will not justify it.

This surplus water, I understand, will flow across the boundary line into Mexico. There, in all probability, it will be used for reclamation of arid lands that can produce citrus fruits, cotton, and a variety of other products. These lands will be settled with people. Improvements will be made. Homes will be established and wealth will be added from year to year.

But we are told that such development will be at the peril of the people of Mexico; that the water used will be water that we have stored and are letting run away pending the day we shall want to apply it to our own lands. We are told that when that day will arrive we may turn the water into our canals, irrigate lands within the United States, and in doing so withdraw, if necessary, all surplus water created by Boulder Dam and flowing into Mexico. We are told we may do this even though it mean the turning back into desert of the lands below the boundary line.

Gentlemen, if the condition shall come that I have outlined as to use of surplus water in the Republic of Mexico, I submit that after such use, citizens of the United States will not be able to refuse continuation of that supply of water by diverting it to lands north of the boundary line. Mexico will not concede that right, and in spite of fine theories upon the part of some who assert our right, my judgment is it will not be done.

If the right of the United States prevail it will be because the United States will be more powerful than Mexico. If we can avoid such a situation we want to do it. I would like to ask the gentleman from Arizona whether or not in another 15 or 25 years, in his judgment, the economic situation within Arizona and California and the area below where Boulder Dam will be built will be such as probably to justify the use of 5,000,000 acre-feet of water that he says can not now be used because of the economic conditions within the United States.

Mr. DOUGLAS of Arizona. I will be glad to answer the gentleman.

Mr. FRENCH. Can the gentleman answer briefly?

Mr. DOUGLAS of Arizona. Fifteen years from now the 5,000,000 acre-feet of water will be appropriated in Mexico and we will never be able to get it back unless we go to war. [Applause.]

Mr. FRENCH. Does the gentleman believe that after 15 or 25 years there are areas within the United States where the water could be used economically and would be used if we did not now develop Boulder Dam and turn the water into Mexico?

Mr. DOUGLAS of Arizona. If the water was available I will say that within 50 years or some time in the future that water would be of extreme value to the seven States.

Mr. FRENCH. Let me ask the gentleman from California [Mr. SWING] the same question. Does he think that within the next 15 or 50 years there will be a demand for the 5,000,000 acre-feet of surplus water within the United States?

Mr. SWING. There will be. There is no such thing as an international water right and every Secretary of State who has passed on it—and there have been three or four who have done so—have held that Mexico acquires no water rights by use of water in that country pending the time that we get ready to use it ourselves.

Mr. FRENCH. May I ask this question? Does the gentleman think that within about 15 years Mexico probably will be able to use the 5,000,000 acre-feet of surplus water if we do not use it within that time?

Mr. SWING. Mexico will try to use all she can, but she can not get it except through a diversion in the United States which the United States can always control. I have a statement by Senator HAYDEN, in which he brings out by the examination of Mr. Stabler, of the Geological Survey, that below the boundary line there is no place where a diversion dam could be put in—that there is no rock bank on either side to which a dam could be tied, and that diversion would be impossible, because if you put in a dam in Mexico the water would go around either end of it, and therefore the diversion must be in the United States, and the United States would control it.

Mr. DOUGLAS of Arizona. Then why did you go below the boundary line in 1905 and divert the water?

Mr. SWING. They did it with disastrous results, and they will never do it again. That was a warning that should and would prevent them from doing it again. [Applause.]

Mr. DOUGLAS of Arizona. It is now revetted with ample rock.

Mr. FRENCH. Does the gentleman recognize that the 5,000,000 feet of water that some times we hope to utilize in the United States will be appropriated by lands in Mexico; and if so, how will we recover the water when it is being utilized by Mexico for reclamation purposes?

Mr. SWING. Again, I say that there is no such thing as Mexico's appropriation of the waters of the Colorado River in the sense that we use the word "appropriation" in the United States; namely, the initiation of water rights. Judson Harmon, one of the great Attorney Generals, stated it to be fundamental that Mexico at no time had any legal claim to the water that arose in and flowed through the United States, no matter whether it had been put to a prior beneficial use in Mexico or not.

The CHAIRMAN. The time of the gentleman from Idaho has expired.

Mr. FRENCH. Mr. Chairman, I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. SMITH. May I invite the gentleman's attention to the following words on the first page of the bill:

> Providing for storage and delivery of the waters thereof for reclamation of public lands and other beneficial uses within the United States.

Mr. DOUGLAS of Arizona. How can you hold water back; how can you legislate against the law of gravity? You may have it in the bill, but you can not enforce it.

Mr. OLIVER of Alabama. Will the gentleman yield?

Mr. FRENCH. I yield.

Mr. OLIVER of Alabama. The gentleman has raised a very interesting legal question. Yet I do not think anyone will dispute the soundness of this statement, that if the Government of the United States should build the dam as proposed, and by reason of the building of the dam the flow of the stream is greatly increased, as stated by the gentleman from Arizona, and such increased flow can be withheld or released and in such quantity and at such times as the Government may determine, then the increased flow would be artificial, and any use of such increased flow would be permissive and could and will not give to such user any right to the use of such increased flow which could not be withdrawn and disused by the Government without violating any right, legal or moral, of such permissive user.

The case is quite different when the normal flow of the stream has been appropriated from where it is sought to claim the benefit of an increased flow by reason of permission from the Government which in the exercise of a sovereign right has caused an increased flow, which it can control, regulate, and withdraw at pleasure.

Mr. FRENCH. Mr. Chairman, I shall decline to yield further until I may make a short statement. The very plan that is proposed and the order of development under this bill produce a situation of profound gravity. It does not seem to me that it has been met or answered by the proponents of the bill. I recognize the general theory that my colleague from Alabama [Mr. OLIVER] has advanced, a theory that is advanced also by the proponents of the bill upon this side of the House, but if we do not utilize the water within the United States that we may provide be developed and stored, and if we

permit a condition to go on for years until the surplus water will be utilized for the reclamation of a half million or a million acres of land in Mexico for a period of 10 or 15 or 20 years, then in the conscience of the forum of the world the right of the United States to recover those waters will be challenged.

The doctrine that right to water attaches by use will be urged, and, after so long a time, I doubt that the world would approve the United States' withdrawing water from areas in Mexico that at that time will be supplying life to lands where there will be homes and people, gardens and orchards, schools and churches. It seems to me that that problem ought to be met and met now. [Applause.]

Mr. SMITH. Mr. Chairman, will the gentleman yield. The problem referred to is met in the bill.

Mr. FRENCH. The gentleman interrupts to say that the problem is met in the bill. I do not believe it is. I do not believe anyone in defense of the bill has met that question directly and has shown how we can recover the water other than upon the general theory laid down by my friend from Alabama [Mr. OLIVER], and which I say after a lapse of years of use will not stand before the conscience of the world.

Mr. SMITH. Mr. Chairman, the situation which the gentleman portrays is all an argument in favor of the early consideration of this bill for the reason that the people who own the land in Mexico along the border, and most of it is owned by American citizens, are placing that land under cultivation just as rapidly as possible, at the rate, it is stated, of nearly 30,000 acres a year. They already have over 200,000 acres under cultivation there, and there are 600,000 acres more susceptible of irrigation. They are eager to get this additional land under cultivation so that they can assert their claim to the water, because they have used it. The owners of this land want action on the bill delayed.

Mr. FRENCH. Oh, my colleague is referring to the normal flow, and already the surplus water has been taken very largely in Mexico. I am now concerned with the artificial flow that this project will create, over and above any present use. A surplus flow that ought to be used within the United States.

The CHAIRMAN. The time of the gentleman from Idaho has expired. The question is on the amendment offered by the gentleman from Arizona.

The question was taken; and on a division (demanded by Mr. DOUGLAS of Arizona) there were—ayes 53, noes 62.

Mr. DOUGLAS of Arizona. Mr. Chairman, I demand tellers.

Tellers were ordered; and the Chair appointed Mr. DOUGLAS of Arizona and Mr. SMITH to act as tellers.

The committee again divided; and the tellers reported—ayes 62, noes 106.

So the amendment was rejected.

The Clerk read as follows:

SEC. 14. The Secretary of the Interior is authorized and directed to make investigation and public reports of the feasibility of projects for irrigation, generation of electric power, and other purposes in the States of Arizona, Colorado, New Mexico, Utah, and Wyoming for the purpose of making such information available to said States and to the Congress, and of formulating a comprehensive scheme of headwater control and the improvement and utilization of the water of the Colorado River and its tributaries. The sum of $250,000 is hereby authorized to be appropriated from said Colorado River Dam fund, created by section 2 of this act, for such purposes.

Mr. MOORE of Virginia. Mr. Chairman, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. MOORE of Virginia: Page 19, line 14, after the section add a new section, as follows:

"The Secretary of the Interior shall annually submit to Congress a report of the transactions had in and pertaining to the administration of this act."

Mr. SWING. Mr. Chairman, I am very glad to accept that amendment.

The CHAIRMAN. The question is on the amendment offered by the gentleman from Virginia.

The amendment was agreed to.

Mr. TAYLOR of Colorado. Mr. Chairman, I ask unanimous consent to return to section 5 for the purpose of offering a brief amendment.

The CHAIRMAN. Is there objection?

Mr. LEATHERWOOD. Mr. Chairman, reserving the right to object, on what subject?

Mr. TAYLOR of Colorado. It is a clarifying amendment.

Mr. DOUGLAS of Arizona. Mr. Chairman, I reserve the right to object.

The CHAIRMAN. The Clerk will report the proposed amendment.

The Clerk read as follows:

Amendment offered by Mr. TAYLOR of Colorado: Page 6, line 22, after the word "service" strike out the period and insert: "and shall conform to paragraph (a) of section 4 of this act."

The CHAIRMAN. Is there objection?

There was no objection.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. SMITH. Mr. Chairman, I offer the following committee amendment as a new section.

The CHAIRMAN. The gentleman from Idaho offers an amendment, which the Clerk will report.

The Clerk read as follows:

After the amendment of the gentleman from Virginia [Mr. MOORE], just adopted, insert a new section as follows——

Mr. DOUGLAS of Arizona (interrupting the reading). Mr. Chairman, is this amendment to section 15?

The CHAIRMAN. It is proposed as a new section.

Mr. DOUGLAS of Arizona. I have an amendment which I desire to offer to section 15.

The CHAIRMAN. To the section 15 that is made up of the Moore amendment, or to section 15 providing for the title of the act?

Mr. DOUGLAS of Arizona. I understood from the Chair that this was to be section 16.

The CHAIRMAN. Yes; inasmuch as a new section 15 has just been adopted. The Clerk will report the amendment offered by the gentleman from Idaho.

The Clerk read as follows:

Amendment offered by Mr. SMITH: After the amendment just adopted, offered by Mr. MOORE of Virginia, insert a new section to be known as section 16, to read as follows: "Nothing in this act shall be construed as a denial or recognition of any right in the Republic of Mexico to use the waters of the Colorado River system."

Mr. LEATHERWOOD. Is that the exact language?

Mr. SMITH. Yes.

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

The Clerk concluded the reading of the bill.

Mr. JOHNSON of Washington. Mr. Chairman, I ask unanimous consent to return to page 2 for the purpose of perfecting the text.

The CHAIRMAN. The gentleman from Washington asks unanimous consent to return to section 1 for the purpose of offering a perfecting amendment. Is there objection to the gentleman's request?

There was no objection.

The CHAIRMAN. The Clerk will report the amendment offered by the gentleman from Washington.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington:

Page 2, line 11, after the word "*Provided*," insert the word "*further*," so that it will read "*Provided further*."

The CHAIRMAN. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. DOUGLAS of Arizona. Mr. Chairman, I rise simply to say this, that I believe this bill is unsound in every way; it is rotten to the core. I am going to offer a motion to recommit the bill to the Committee on Irrigation and Reclamation.

Mr. SMITH. Mr. Chairman, I move that the committee rise and report the bill to the House.

The CHAIRMAN. Without objection, before the committee rises, the Clerk will be authorized to make such changes in the numbering of the sections as are made necessary by the amendments that have been agreed to.

There was no objection.

The CHAIRMAN. Under the rule the committee will now rise and the bill will be reported by the committee to the House.

Accordingly the committee rose; and the Speaker having resumed the Chair, Mr. LEHLBACH, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 5773) to provide for the construction of works for the protection and development of the lower Colorado River Basin, for the approval of the Colorado River compact, and for other purposes, had directed him to report the same back to the House with sundry amendments, with the recommendation that the amendments be agreed to and that the bill as amended do pass.

The SPEAKER. Is a separate vote demanded on any amendment? If not, the Chair will put them in gross. The question is on agreeing to the amendments.

The amendments were agreed to.

The SPEAKER. The question is on the engrossment and third reading of the bill.

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

Mr. DOUGLAS of Arizona. Mr. Speaker, I move to recommit the bill H. R. 5773 to the Committee on Irrigation and Reclamation, and on that I move the previous question.

The SPEAKER. The Clerk will report the motion submitted by the gentleman from Arizona.

The Clerk read as follows:

Mr. DOUGLAS of Arizona moves to recommit the bill H. R. 5773 to the Committee on Irrigation and Reclamation.

The SPEAKER. On that the gentleman from Arizona moves the previous question.

The previous question was ordered.

The SPEAKER. The question is: "Shall the bill be recommitted"?

The question was taken, and the Speaker announced that the noes appeared to have it.

Mr. DOUGLAS of Arizona. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The yeas and nays are demanded. As many as are in favor of taking the vote by yeas and nays will rise and stand until they are counted. [After counting.] Sixty-five Members have arisen; a sufficient number.

The yeas and nays were ordered.

The SPEAKER. As many as favor the motion to recommit will, when their names are called, answer "yea"; those opposed will answer "nay."

The question was taken; and there were—yeas 137, nays 219, answered "present," 2, not voting 73, as follows:

[Roll No. 88]

YEAS—137

Ackerman	Dominick	Kiess	Rogers
Aldrich	Douglas, Ariz.	Kurtz	Rowbottom
Andrew	Doyle	Lanham	Sanders, N. Y.
Aswell	Eslick	Larsen	Seger
Ayres	Faust	Leatherwood	Speaks
Bacharach	Fenn	Leech	Sproul, Kans.
Bachmann	Foss	Lehlbach	Stalker
Bacon	Freeman	Linthicum	Steele
Beck, Pa.	French	Luce	Stevenson
Beers	Fulmer	McFadden	Stobbs
Black, Tex.	Garber	McLaughlin	Strong, Kans.
Bland	Gasque	McMillan	Strong, Pa.
Bohn	Glynn	McReynolds	Sumners, Tex.
Bowles	Goldsborough	MacGregor	Swick
Box	Goodwin	Maas	Taber
Brand, Ga.	Graham	Magrady	Tarver
Brand, Ohio	Griest	Major, Ill.	Tatenhorst
Briggs	Hale	Martin, Mass.	Thurston
Brigham	Hall, Ind.	Merritt	Tinkham
Browning	Hancock	Milligan	Treadway
Buchanan	Hoffman	Monast	Tucker
Busby	Hogg	Montague	Underhill
Bushong	Hooper	Moore, Ohio	Wason
Byrns	Houston, Del.	Nelson, Me.	Watson
Chase	Huddleston	Newton	Welsh, Pa.
Clarke	Hudson	Palmisano	White, Me.
Cohen	Hull, Morton D.	Parker	Whittington
Cole, Iowa	Hull, Tenn.	Pou	Williams, Ill.
Cole, Md.	Igoe	Pratt	Williams, Mo.
Colton	Irwin	Rankin	Wolverton
Connolly, Pa.	Jenkins	Ransley	Woodrum
Crowther	Johnson, Tex.	Rayburn	Wright
Darrow	Kearns	Reece	
Dempsey	Kent	Reed, N. Y.	
Denison	Ketcham	Robinson, Iowa	

NAYS—219

Abernethy	Casey	Doughton	Gregory
Adkins	Celler	Douglass, Mass.	Green
Allen	Chalmers	Dowell	Greenwood
Allgood	Chapman	Drewry	Griffin
Almon	Chindblom	Driver	Hadley
Andresen	Christopherson	Dyer	Hall, Ill.
Arentz	Clague	Edwards	Hall, N. Dak.
Arnold	Cochran, Mo.	Elliott	Hardy
Auf der Heide	Cochran, Pa.	Englebright	Harrison
Barbour	Collier	Evans, Calif.	Hastings
Beedy	Collins	Evans, Mont.	Haugen
Bell	Combs	Fish	Hawley
Berger	Cooper, Ohio	Fitzgerald, Roy G.	Hersey
Black, N. Y.	Cooper, Wis.	Fitzpatrick	Hickey
Boylan	Cox	Fletcher	Hill, Ala.
Britten	Crail	Fort	Hill, Wash.
Browne	Cramton	Frear	Hoch
Buckbee	Crisp	Free	Holaday
Burtness	Crosser	Fulbright	Hope
Burton	Cullen	Furlow	Howard, Nebr.
Campbell	Curry	Gambrill	Howard, Okla.
Canfield	Dallinger	Gardner, Ind.	Hull, Wm. E.
Cannon	Davenport	Garner, Tex.	Jacobstein
Carew	Davey	Garrett, Tex.	Jeffers
Carss	Davis	Gibson	Johnson, Ill.
Carter	Dickinson, Iowa	Gifford	Johnson, S. Dak.
Cartwright	Dickinson, Mo.	Gilbert	Johnson, Wash.
Kading	Mansfield	Porter	Summers, Wash.
Kahn	Mapes	Prall	Swank
Kelly	Martin, La.	Quin	Swing
Kemp	Mead	Ragon	Taylor, Colo.
Kincheloe	Michaelson	Rainey	Taylor, Tenn.
Kindred	Michener	Ramseyer	Thatcher
King	Miller	Rathbone	Thompson
Kopp	Mooney	Reed, Ark.	Tilson
Korell	Moore, Ky.	Romjue	Timberlake
Kvale	Moore, N. J.	Rubey	Vestal
LaGuardia	Moore, Va.	Rutherford	Vinson, Ga.
Lampert	Moorman	Sanders, Tex.	Vinson, Ky.
Langley	Morehead	Sandlin	Wainwright
Lankford	Morgan	Schafer	Ware
Lea	Morin	Schneider	Warren
Leavitt	Morrow	Sears, Nebr.	Watres
Letts	Murphy	Selvig	Weaver
Lindsay	Nelson, Mo.	Shallenberger	Welch, Calif.
Lowrey	Nelson, Wis.	Shreve	Weller
Lozier	Niedringhaus	Simmons	White, Colo.
Lyon	Norton, Nebr.	Sinclair	Williams, Tex.
McClintic	O'Brien	Sinnott	Williamson
McDuffie	O'Connor, La.	Sirovich	Wilson, La.
McKeown	O'Connor, N. Y.	Smith	Wingo
McLeod	Oliver, Ala.	Somers, N. Y.	Winter
McSwain	Oliver, N. Y.	Sproul, Ill.	Wood
Major, Mo.	Parks	Steagall	Woodruff
Manlove	Perkins	Stedman	

ANSWERED "PRESENT"—2

Frothingham	Snell

NOT VOTING—73

Anthony	Dickstein	Kendall	Strother
Bankhead	Doutrich	Kerr	Sullivan
Beck, Wis.	Drane	Knutson	Temple
Begg	Eaton	Kuntz	Tillman
Blanton	England	McSweeney	Underwood
Bloom	Estep	Menges	Updike
Boies	Fisher	Norton, N. J.	Vincent, Mich.
Bowling	Fitzgerald, W. T.	O'Connell	White, Kans.
Bowman	Garrett, Tenn.	Oldfield	Whitehead
Bulwinkle	Golder	Palmer	Wilson, Miss.
Burdick	Guyer	Peavey	Wurzbach
Butler	Hammer	Peery	Wyant
Carley	Hare	Purnell	Yates
Clancy	Hudspeth	Quayle	Yon
Connally, Tex.	Hughes	Reid, Ill.	Zihlman
Connery	James	Robsion, Ky.	
Corning	Johnson, Ind.	Sabath	
Deal	Johnson, Okla.	Sears, Fla.	
De Rouen	Jones	Spearing	

So the motion to recommit was rejected.

The Clerk announced the following additional pairs:

On this vote:

Mr. England (for) with Mr. Spearing (against).
Mr. W. T. Fitzgerald (for) with Mr. Reid of Illinois (against).
Mr. Eaton (for) with Mr. Clancy (against).
Mr. Snell (for) with Mr. Bankhead (against).
Mr. Temple (for) with Mr. Wurzbach (against).
Mr. Frothingham (for) with Mr. James (against).
Mr. Whitehead (for) with Mr. O'Connell (against).
Mr. Corning (for) with Mr. Robsion of Kentucky (against).
Mr. Hare (for) with Mr. De Rouen (against).

Until further notice:

Mr. Begg (for) with Mr. Oldfield (against).
Mr. Butler (for) with Mr. Hudspeth (against).
Mr. Yates (for) with Mr. Sullivan (against).
Mr. Golder (for) with Mr. Drane (against).
Mr. Knutson (for) with Mr. Garrett of Tennessee (against).
Mr. Purnell (for) with Mr. Kunz (against).
Mr. Wyant (for) with Mr. Peery (against).
Mr. Anthony (for) with Mr. Sears of Florida (against).
Mr. Estep (for) with Mr. Carley (against).
Mr. Zihlman (for) with Mr. Deal (against).
Mr. Vincent of Michigan (for) with Mr. Connery (against).
Mr. Bowman (for) with Mr. Hammer (against).
Mr. Guyer (for) with Mr. Jones (against).
Mr. Kendall (for) with Mrs. Norton (against).
Mr. Peavey (for) with Mr. Quayle (against).
Mr. Updike (for) with Mr. Johnson of Oklahoma (against).
Mr. White of Kansas (for) with Mr. Underwood (against).
Mr. Strother (for) with Mr. Yon (against).
Mr. Menges (for) with Mr. Fisher (against).
Mr. Palmer (for) with Mr. Bulwinkle (against).
Mr. Johnson of Indiana (for) with Mr. Connally of Texas (against).
Mr. Hughes (for) with Mr. Blanton (against).
Mr. Doutrich (for) with Mr. Dickstein (against).
Mr. Burdick (for) with Mr. Kerr (against).
Mr. Boies (for) with Mr. Sabath (against).
Mr. Beck of Wisconsin (for) with Mr. McSweeney (against).

Mr. FROTHINGHAM. Mr. Speaker, on this matter I am paired with the gentleman from Michigan, Mr. JAMES, so I withdraw my vote. If he were here, he would vote "nay" and I would vote "aye."

Mr. DOUGLASS of Massachusetts. Mr. Speaker, my colleague Mr. CONNERY, of Massachusetts, is absent on account of illness in his family. If he were present, he would vote "nay."

Mr. SNELL. Mr. Speaker, I voted "aye," but I have a pair with the gentleman from Alabama, Mr. BANKHEAD. I desire to withdraw my vote and answer "present."

Mr. KNUTSON. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. KNUTSON. I was not in the Hall when my name was called.

The SPEAKER. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. LEATHERWOOD. Mr. Speaker, I demand the yeas and nays.

The SPEAKER. The gentleman from Utah demands the yeas and nays. As many as favor ordering the yeas and nays will rise and stand until counted. [After counting.] Four Members have risen, not a sufficient number.

So the yeas and nays were refused.

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

On motion of Mr. SMITH, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CONFERENCE REPORT—THE REVENUE BILL

Mr. HAWLEY. Mr. Speaker, I present a conference report on H. R. 1, an act to reduce and equalize taxation, provide revenue, and for other purposes, for printing under the rule.

CONFERENCE REPORT—POSTAL RATES

Mr. GRIEST. Mr. Speaker, I present a conference report on House bill 12030, to amend Title II of an act approved February 28, 1925 (43 Stat. 1066, U. S. C., title 39), regulating postal rates, and for other purposes, for printing under the rule.

BOULDER DAM

Mr. TUCKER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the Boulder Dam bill.

The SPEAKER. Without objection, it is so ordered.

Mr. TUCKER. Mr. Speaker, the building of the Boulder Dam at Boulder Canyon is one of the most stupendous projects contemplated by man that has ever been undertaken in the world. It stirs the imagination and stimulates the pride of every American who loves his country and who is a believer in the genius of the American people. A dam whose object is to impound 26,000,000 acre-feet of water, 550 feet high, and carrying with it the hope of great benefits to thousands must appeal to every patriotic citizen of America. It is said to be a national project by some because of the height of the dam, the amount of water impounded, and the variety of its utilities; but it can not be a national project, however great or expensive the project, unless its purposes naturally flow from some specific or implied grant of power to the Congress of the United States in the Constitution. Its size can not make it national. The Constitution alone can. Believing as I do that its objects can find shelter under no grant of power to Congress I can not support the bill; but believe it should be relegated to the seven great States whose progressive people have developed and presented this plan and who alone will benefit from it. Read the objects of the bill as set forth in the first few lines:

Be it enacted, etc., That for the purpose of controlling the floods, improving navigation, and regulating the flow of the lower Colorado River, providing for storage and delivery of the waters thereof for reclamation of public lands and other beneficial uses within the United States, and for the generation of electrical energy as a means of making the project herein authorized a self-supporting and financially solvent undertaking, the Secretary of the Interior * * * is hereby authorized to construct, operate, and maintain a dam—

And so forth.

Here are six proposed objects: (1) Controlling the floods; (2) improving navigation; (3) regulating the flow of the lower Colorado River; (4) providing for storage and delivery of the waters thereof for reclamation of public lands; (5) and other beneficial uses within the United States; (6) the generation of electrical energy as a means of making the project herein authorized a self-supporting and financially solvent undertaking.

Let us examine each of these proposed objects and see if they are included in any grant of power to Congress in the Constitution, or whether any one of them may be regarded as an implied power bona fide appropriate to the end—that is, to an object granted in an express power.

First. For the purpose of controlling the floods: This means, of course, the floods in the Colorado River. The only power in the Constitution from which the control of floods would naturally come is the power to regulate commerce, and it would seem properly to rest there because the Supreme Court has recognized from its earliest decisions that the power to regulate commerce includes the right to improve navigation; for the regulation and improvement of navigation have been declared to be naturally and properly parts of the power to regulate commerce. So that the control of floods in the Colorado River, if sought for the purpose of regulating or improving navigation, is a natural and proper implication of power growing out of the commerce power. But Congress has no power to control floods except where such floods may impede or destroy navigation.

Now, the second object, "improving navigation of the Colorado River," and the third object for "regulating the flow of the lower Colorado River"—for navigation purposes—would show these first three objects of the bill to rest safely under the commerce clause of the Constitution if there was nothing else in the bill to contradict the foregoing propositions.

These objects of the bill, as stated in the above three propositions, are found to have no right to claim to be constitutional under the commerce power of the Constitution. The Colorado River compact made between the seven States—California, Nevada, Arizona, Colorado, Utah, New Mexico, and Wyoming—ratified between these States on the 24th day of November, 1922, is made a part of this bill. Article IV of that compact contains the following:

(a) Inasmuch as the Colorado River has ceased to be navigable for commerce and the reservation of its waters for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural, and power purposes. If the Congress shall not consent to this paragraph, the other provisions of this compact shall nevertheless remain binding.

(b) Subject to the provisions of this compact, waters of the Colorado River system may be impounded and used for the generation of electrical power, but such impounding and use shall be subservient to the use and consumption of such water for agricultural and domestic purposes and shall not interfere with or prevent use for such dominant purposes.

It is seen by this article that "the Colorado River has ceased to be navigable for commerce"; and therefore the proponents of the bill in these words, having thus admitted that the river is not navigable, can not invoke the protecting power of the commerce clause, under which the regulation and improvement of navigation would be permitted; and they are estopped, under the well-known equitable principle, by this statement from claiming the commerce clause as their ground for invoking the power of Congress in this matter.

In the recent great struggle in this House for the control of the floods in the Mississippi River the sole ground relied upon by the advocates of the bill was the power of the Federal Government under the commerce clause to regulate, improve, and maintain navigation. Not a dollar of money was carried in that bill except for such purpose. No money was carried to reinstate those brave but unfortunate people for their losses by the flood, for the bill was alone intended to restore and keep open the navigation not only of the Mississippi River but of those great tributaries that were also navigable. Nor can the fact that such work by Congress in keeping open and improving navigation may serve to save individual landowners from the effect of the overflow militate against the right of Congress to exercise such power, for improvement of navigation is the end, while the latter is an incident of the end or object of the power. So that the first three objects above set forth can not claim the sheltering arms of the commerce power, for that power, which by implication carries the controlling of floods and regulating the flow of the Colorado River for navigation purposes, is swept away by the clear and final statement in the same bill that "the Colorado River has ceased to be navigable for commerce."

Under these circumstances the claim of jurisdiction of Congress to pass this bill is, in legal parlance, a fraud upon the Constitution, and before the courts it would share the fate of the child-labor tax law, where it was held that Congress could not use the taxing power by indirection to accomplish another object (regulation of child labor) which was denied to Congress.

Fourth. Providing "for storage and delivery of the waters thereof for reclamation of public lands": Congress has power under Article IV, section 3, of the Constitution—

to dispose of and make all needful rules and regulations respecting the territory or other property belonging to the United States.

Congress has power under this provision to build a dam for power purposes or to do anything that is needful for the protection and improvement of such lands. It therefore has the power to build a dam to create power to reclaim such lands; but has it the power to build a dam and create an enterprise costing $125,000,000 (far more than these lands could ever be worth) when it is shown that a dam costing $15,000,000 would accomplish the purpose desired? If a $15,000,000 dam will accomplish the desired end, surely a $125,000,000 dam for the same purpose, and no other, would be held unconstitutional as exceeding the powers of Congress to lay taxes and appropriate money. It may be argued that for the accomplishment of other objects of the bill this dam should be built. My analysis of these objects is to show that of the six set forth in this bill

No. 4 is the only one that can claim to have constitutional sanction to justify it. It may be that it would require $125,000,000 outlay to accomplish all the objects in the bill, but my position is that no object stated in the bill has a constitutional standing or the backing of any power in the Constitution except this one, No. 4.

Fifth. And "other beneficial uses within the United States": No gentleman has attempted to show in this discussion under what power of the Constitution beneficial uses within the United States can claim to rest. What sort of beneficial uses? Personal? Public? Private? State? Or national? A veritable Brunswick stew composed of indefinite and unknown ingredients! A Christmas tree of Uncle Sam's for his children, loaded with candied toys of "beneficial uses"! Judge Marshall has well said that any man, in asking at the hands of Congress for relief, must show under what power of the Constitution that relief is asked for. If he can show no such power, his bill must fail.

Sixth. "For the generation of electrical energy as a means of making the project herein authorized a self-supporting and financially solvent undertaking": We have admitted that as to the reclamation of public lands an incidental power permits the creation of electrical power by the United States Government for that purpose. The use of such power is a means to the end; and, as Judge Marshall well says—

> Let the end be legitimate, let it be within the scope of the Constitution (as the public lands are) and all means which are appropriate, which are clearly adapted to that end, which are not prohibited, but consistent with the letter and spirit of the Constitution, are constitutional.

Now, test No. 6 by Judge Marshall's definition. What is the end aimed at by No. 6? For Judge Marshall says—

> the end must be legitimate and within the scope of the Constitution.

The end here is to make a "self-supporting and financially solvent undertaking." What is this undertaking? It is that described in the above six objects as set out in this bill, not one of which except that for reclaiming public lands is "legitimate or within the scope of the Constitution." While a dam for reclaiming these public lands could be built for $15,000,000, the size of the dam and its cost at $125,000,000, instead of $15,000,000, shows its object. As a matter of fact, the building of this great dam for the generation of electrical energy is the main object of this bill. The other objects are but dim satellites around this brilliant star. If the Government of the United States can boldly claim the power as in this bill to build throughout its domain great electrical powers for unconstitutional objects, or for the purpose of making money, or for any other purpose, the Government is indeed a different one from that which its real friends have regarded it. The creation of this power plant for power purposes is the primary purpose and object of this bill, as indicated by Secretaries Work, Weeks, and Wallace, and this has been claimed by some of the advocates of this bill on the floor of the House.

Another view, however, must be suggested here as to these proposed objects growing out of article 4 of the Colorado River compact, which is a part of this bill and which reads:

> (a) Inasmuch as * * * the reservation of its waters (Colorado River) for navigation would seriously limit the development of its basin, the use of its waters for purposes of navigation shall be subservient to the uses of such waters for domestic, agricultural, and power purposes.

This shows that after declaring that the Colorado River has ceased to be navigable, even the little quantity of water left in it shall not have the first call, as to its consumption for navigation, until domestic, agricultural, and power purposes have been exhausted. Domestic and agricultural purposes were not among the objects heretofore considered. Under this view, we are compelled to make another allocation of objects for this bill, namely: First, domestic; second, agricultural; third, power purposes, to which navigation shall be subservient; and then (b) article 4, the generation of electrical power is made subservient to agricultural and domestic purposes, and they are proclaimed the dominant purposes under the Colorado River compact. Therefore, which of these two enumerated lists of objects or purposes of the bill is correct—the six objects which I have heretofore discussed or these last two as found in (b), article 4, of the Colorado River compact? To one looking for constitutional authority for the bill it makes no difference which are regarded as the real objects of the bill, for both are unconstitutional; for if we take "agricultural" and "domestic" objects, as set forth in article 4 of the compact above, as the real objects of the bill, and reject the six hereinbefore considered, where do we find constitutional warrant for the Government of the United States to build a dam for "agricultural" purposes (except so far as it may affect the Government's own property), or for "domestic purposes"? We will search in vain the Constitution to find warrant to legislate for agriculture.

Not only is the word "agriculture" not found in the Constitution of the United States, but on the 18th of August, 1787, the Federal convention having voted upon, and ratified on the 6th of August, that part of the Pinckney plan which embraced the powers of Congress as they now practically exist in the Constitution, had presented to it 20 additional propositions to be added to those already adopted. Among them was one affecting agriculture. Of the 20, a number of them were finally incorporated into the Constitution, but "agriculture" was brought to their special attention in the following resolution which was offered for the consideration of the committee: "To establish public institutions, rewards, and immunities for the promotion of agriculture," and so forth; but this was never heard of afterwards. It was thus specially brought to their attention and rejected; and "domestic purposes" are emphatically reserved to the States by the tenth amendment. So that if as stated in article 4 (b) of the Colorado River compact "agricultural" and "domestic" purposes are declared to be the dominant purposes of this compact, which is a part of this bill, neither one of those purposes can claim the protecting care of any express or implied power of Congress, for these objects of the bill are not, by the Constitution, specifically or impliedly included in any grant to Congress. This enterprise is indeed a great one; but it should be sent back to the States whose people have projected it, and should be built and operated by the seven States whose genius conceived it and whose money should pay for it.

INDEBTEDNESS OF THE UNITED STATES TO THE STATE OF NORTH CAROLINA

Mr. ABERNETHY. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on the indebtedness of the Government to the State of North Carolina.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. ABERNETHY. Mr. Speaker, it is a duty and a privilege to submit some brief remarks in behalf of the pending bill for the relief of the State of North Carolina (S. 3097).

The bill provides that the Government of the United States shall pay to the State of North Carolina the balance due said State, amounting to the sum of $118,035.69. The bill represents an effort to settle two claims due by the United States to North Carolina and one claim due by North Carolina to the United States, and the amount named in the bill represents the net balance due the State. There can be no controversy as to either of the mutual claims involved, but it may be well to summarize them briefly.

I will first consider the two claims due by the United States.

The first claim arises out of advances made by the State of North Carolina to the Federal Government in aid of the prosecution of the War of 1812. Substantially all of the States at that time comprising the Union made similar advances but differing as to amounts. Final settlements have been made with every State so making advances except the States of North Carolina, New York, and Connecticut. Part of the amount due North Carolina has heretofore been paid and similar partial payments were made to the other States until final settlement was completed, and, as stated, only three States have outstanding balances due them. This class of claims has been thoroughly considered in the past both by House and Senate committees, and by the Treasury Department. Many years ago Congress made settlement with the State of Maryland and directed that the interest be calculated in a certain way which has come to be known as the Maryland rule. It is substantially the same method of calculating partial payments and interest as taught in the schools. The Comptroller General has calculated the amount due the State of North Carolina and found the same to be $167,339.88, as of February 29, 1928. This amount is justly due the State.

The other claim against the United States arises out of the seizure of cotton belonging to the State of North Carolina in 1865 and 1866. This particular claim has been considered by committees of Congress and by the Treasury Department and has always been approved as correct and just. The most complete report on this special claim was submitted to the House by Mr. Bright from the Committee on Claims to the Forty-fourth Congress. It was a wrongful taking by one sovereign of the property of another sovereign and converting the same to its own use, and it is now proposed that the United States shall effect a just settlement. The Comptroller General finds that there is due upon this claim for cotton seized the sum of $96,835.81.

It will be found that the total of these two sums owed by the United States to North Carolina amount to $264,175.69.

Reference will now be made to the claim of the United States against the State of North Carolina.

This claim arises out of certain bonds issued by the State and held by the Federal Government. These bonds originally were held in the Indian trust fund and later became the property of the United States under the provisions of an act of Congress of 1894. The State proposes to pay the principal of these bonds, together with all unpaid interest coupons. As a matter of information it may be stated that these bonds were issued by the State prior to the Civil War. Payments of interest were suspended during the Civil War and at the end of that war the State made an effort to adjust all its outstanding indebtedness and by act of the legislature of the State in 1876 an offer of settlement of these particular bonds was made on the basis of 40 per cent of the principal. All of the outstanding bonds of this series were adjusted on that basis except these bonds held by the Government. It will be noted that the State offers in this settlement to pay the entire principal of the bonds, with interest. The State is so desirous of adjusting these mutual claims that it is willing to pay the face value of these bonds with interest. These bonds with interest amount to the sum of $146,140, and a calculation will show that after deducting this amount from the total of the two claims due by the United States to the State, it leaves a balance due the State as of February 29, 1928, in the sum of $118,035.69, which is the amount provided for in the pending bill.

All of the above facts appear in the hearing which was held before the Judiciary Committee of this body on April 6, 1928, in which report is also included various other items of fact and law, all tending to demonstrate the justness and correctness of this claim. I am advised that the payment of the balance due the State of North Carolina, and represented in the pending bill, covers all mutual claims between the State and the United States. Certainly this is a consummation to be wished by each government.

In conclusion I might make a suggestion fortifying the merits of this bill. Two sovereigns are indebted each to the other. The justness of these mutual items of indebtedness is recognized. Every reason, both of duty and comity, should move each sovereign to effect a friendly and satisfactory adjustment. The Treasury Department, through its accredited official, the Comptroller General, has audited and vouched for the correctness of the respective items of indebtedness. Each sovereign is and should be jealous of its credit and should desire to maintain the most amicable relations in its financial dealings.

This bill has passed the scrutiny of the Senate Committee on Claims and has passed the Senate. A full hearing and consideration has been given by the Judiciary Committee of the House, which has also favorably reported the bill. Every precaution has been taken to insure the correctness of the mutual adjustment of these claims. I hope the bill will have the approval of the House.

RURAL POST ROADS

The SPEAKER. The Chair lays before the House a resolution of the Senate accompanying a veto message from the President, which the Clerk will report.

Mr. PARKS. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. PARKS. I would like to know if, under the Constitution, we may vote on these vetoes en gross without having to take one at a time?

The Clerk read as follows:

IN THE SENATE OF THE UNITED STATES,
May 3 (calendar day of May 24), 1928.

The President of the United States having returned to the Senate, in which it originated, the bill (S. 3674) entitled "An act to amend the act entitled 'An act to provide that the United States shall aid the States in the construction of rural post roads, and for other purposes,' approved July 11, 1916, as amended and supplemented, and for other purposes," with his objections thereto, the Senate proceeded, in pursuance to the Constitution, to reconsider the same; and

Resolved, That the bill do pass, two-thirds of the Senate agreeing to pass the same.

The Clerk read the message of the President.

(For President's message, see proceedings of the Senate.)

The SPEAKER. The objections of the President will be spread at large upon the Journal and the bill and the message printed as a public document. The question is, Shall the House, on reconsideration, agree to pass the bill, the objections of the President to the contrary notwithstanding?

Mr. COLTON. Mr. Speaker and Members of the House, I feel so deeply that this veto is based upon a misunderstanding of the facts and circumstances surrounding this legislation that I am going to ask your indulgence for just a few minutes while I explain its provisions. The veto is based mainly upon two propositions. First, that there is already an appropriation to take care of the forest roads. Out of the $7,500,000 that is being carried in the general road authorization bill there is used annually nearly $3,000,000 for fire protection and for the development of the forests, so we do not have nearly all of the amount appropriated for the forest roads. At the present rate of road building with forest funds for main roads in the forests it will take the Federal Government 45 years to complete these roads through Arizona; 95 years in California; 90 years in Colorado; 24 years in Idaho; 33 years in Montana; 55 years in Nevada; 30 years in New Mexico; 30 years in Oregon; 28 years in Utah; 8 years in Washington; and 31 years in Wyoming. So that even the appropriations for main roads through the forests are woefully deficient. We are therefore from 8 to 90 years behind the regular Federal-aid building program in our forests and on our Indian lands. This bill is only for the purpose of speeding up the building program on these public lands during the next three years. The lands are owned exclusively by the United States and in the main these roads will be used as connecting links in the Federal road system.

Mr. ABERNETHY and Mr. CRAMTON rose.

Mr. COLTON. I will yield first to the gentleman from Michigan.

Mr. CRAMTON. As I understand the situation the appropriation for forest roads to which the gentleman has referred is available only in national forests. There is no fund available for construction of roads across Indian reservations and public lands and, in many cases, vast areas are in such reservations exclusively owned by the United States, exempt from taxation, and the only way that roads can be built to connect up important highways through these Federal-owned reservations is through the passage of such a bill as is now before us.

Mr. COLTON. Absolutely; and I may say in addition to what the gentleman has said, there are many individual bills that have been introduced that are pending before the Committee on Roads dealing with many situations which can not be remedied unless the Federal Government does help. This is a general bill to take care of these situations.

And now, just a word on the second point. The President refers in his veto to the fact that the States have the gasoline tax upon which to rely.

Mr. ABERNETHY. Will the gentleman yield?

Mr. COLTON. In just a moment.

The fact of the matter is that only from 23 to 57 per cent of the money which the States are putting on the roads now is derived from this tax. We are putting on our roads more money from other sources than we raise by the gasoline tax. Moreover, under the act of June 11, 1916, the States are compelled to do all the maintenance work and therefore we have no fund whatever to take up many of these meritorious propositions in many of the States.

Gentlemen, just one other thought. Our public lands furnish the greatest example of absentee landlordism in the world. In Nevada, for instance, the Government owns 87½ per cent of the land. In my State it owns about 74 per cent of the land, and in some of the States 50 per cent; and we have not the means by which we can speed up this program.

I now yield to the gentleman from North Carolina.

Mr. ABERNETHY. I simply wanted to know whether this is to connect up through highways?

Mr. COLTON. That is largely the purpose of building the roads—we are asking for this money to connect existing Federal-aid systems. We need this extra help and need it badly. I am sure the President has been somewhere badly advised. There are men, particularly in the Bureau of the Budget, whose western horizon is bounded by the Mississippi River. It would do them a world of good to see some of the West. It can not be seen from a Pullman car. Roads are needed to protect our forests. Often connecting links which at the present rate will not be built for years will, when built, be the means of protecting great forests. We have no means now to build across many of the Indian reservations. Moreover, there are needed connecting links on the public domain where the population is so sparse and the taxable property so small, it will be years before main roads can be built.

Roads through unappropriated public lands and Indian lands are just as essential for the traveling public as those through the forests and parks, and the States should not be expected to bear this responsibility. It is a Federal responsibility. It is not State property.

The Budget proposes in this veto that these States do this work because their resources derived from the gasoline tax enables them to contribute toward these roads. Outside of

California, which has resources far more extensive than any of the other public-land States, this statement is not borne out by the facts, as the following table for 1927 shows:

State	Gas receipts	Total State expenditures for roads	Per cent gas receipts of total expenditures
Arizona	$1,388,830	$2,900,000	47
Colorado	3,139,594	5,464,915	57
Idaho	1,571,749	4,248,213	36
Montana	1,436,398	1,358,775	----------
Nevada	471,624	1,981,328	23
New Mexico	1,415,690	5,088,902	27
Oregon	3,643,191	10,273,440	35
Utah	1,461,261	3,748,099	38
Washington	3,821,438	7,699,127	49
Wyoming	756,049	2,982,529	25

Montana had a deferred road program last year, or this State would be in a like position.

Here we see that the gasoline income met the State program in varying degrees of 23 to 57 per cent. How can they be expected to assume this added burden of building through Government and Indian lands when this source of income pays but one-fourth to one-half their present obligations?

It should be remembered that the Federal Government is not spending one cent on the maintenance of Federal-aid roads, and that makes the expenditures on the part of the States for this purpose constantly increase.

It was said at one time, "Millions for defense, but not one cent for tribute." Uncle Sam says, "Millions for construction, but not one cent for maintenance." The Federal Government has not been overburdened in the work of building interstate roads, and this bill, passed without opposition in both Houses of the Congress, is a righteous claim.

Mr. Speaker, unless there are others who desire to speak, I move the previous question.

The previous question was ordered.

The question was taken; and there were—yeas 161, nays 182, not voting 87, as follows:

[Roll No. 89]

YEAS—161

Abernethy	Driver	LaGuardia	Romjue
Adkins	Englebright	Lampert	Rubey
Almon	Evans, Mont.	Lanham	Sanders, Tex.
Arentz	Fitzgerald, Roy G.	Lea	Sandlin
Auf der Heide	Fitzpatrick	Leatherwood	Schafer
Barbour	Fletcher	Leavitt	Schneider
Berger	Frear	Lindsay	Sears, Nebr.
Bland	Free	Linthicum	Shallenberger
Bohn	French	Lozier	Shreve
Boylan	Fulbright	Lyon	Simmons
Brand, Ohio	Fulmer	McKeown	Sinclair
Briggs	Gambrill	Major, Mo.	Sinnott
Britten	Garber	Manlove	Sirovich
Browne	Gardner, Ind.	Mansfield	Smith
Burtness	Gasque	Martin, La.	Somers, N. Y.
Cannon	Goldsborough	Mead	Speaks
Carew	Gregory	Miller	Sproul, Ill.
Carter	Green	Milligan	Stedman
Cartwright	Griffin	Mooney	Stevenson
Celler	Hadley	Moore, Ky.	Strong, Pa.
Chapman	Hall, N. Dak.	Moore, Va.	Summers, Wash.
Christopherson	Hardy	Moorman	Sumners, Tex.
Cochran, Mo.	Harrison	Morehead	Swank
Cohen	Hastings	Morin	Swing
Cole, Md.	Hawley	Morrow	Taylor, Colo.
Collier	Hill, Wash.	Murphy	Taylor, Tenn.
Collins	Holaday	Nelson, Mo.	Timberlake
Colton	Houston, Del.	Norton, Nebr.	Vinson, Ky.
Combs	Howard, Nebr.	O'Connor, La.	Ware
Cooper, Wis.	Jacobstein	O'Connor, N. Y.	Warren
Cramton	Johnson, S. Dak.	Palmisano	Weaver
Crosser	Johnson, Tex.	Parks	Welch, Calif.
Cullen	Johnson, Wash.	Peery	White, Colo.
Davey	Kading	Pou	Williams, Mo.
Dickinson, Iowa	Kelly	Prall	Williamson
Dickinson, Mo.	Kemp	Quin	Wilson, La.
Doughton	Kent	Ragon	Winter
Douglas, Ariz.	Kindred	Rainey	Woodruff
Douglass, Mass.	King	Rathbone	
Dowell	Knutson	Rayburn	
Drewry	Korell	Reed, Ark.	

NAYS—182

Ackerman	Beers	Byrns	Crail
Aldrich	Bell	Campbell	Crisp
Allen	Black, N. Y.	Canfield	Crowther
Allgood	Bowles	Carss	Curry
Andresen	Box	Chalmers	Dallinger
Andrew	Brand, Ga.	Chase	Darrow
Arnold	Brigham	Chindblom	Davenport
Aswell	Browning	Clague	Davis
Ayres	Buckbee	Clarke	Dempsey
Bacharach	Burdick	Cochran, Pa.	Denison
Bachmann	Burton	Cole, Iowa	Dominick
Bacon	Busby	Cooper, Ohio	Dyer
Beedy	Bushong	Cox	Edwards
Elliott	Hudson	Magrady	Stalker
Eslick	Hull, Morton D.	Major, Ill.	Steagall
Evans, Calif.	Hull, Tenn.	Mapes	Steele
Faust	Irwin	Martin, Mass.	Stobbs
Fenn	Jeffers	Merritt	Strong, Kans.
Fish	Jenkins	Michaelson	Swick
Fort	Johnson, Ill.	Michener	Taber
Foss	Johnson, Ind.	Monast	Tarver
Freeman	Kahn	Montague	Tatgenhorst
Frothingham	Kearns	Moore, Ohio	Thatcher
Furlow	Ketcham	Morgan	Thompson
Gibson	Kiess	Nelson, Me.	Thurston
Gifford	Kincheloe	Newton	Tilson
Gilbert	Kopp	Niedringhaus	Tinkham
Glynn	Kurtz	O'Brien	Treadway
Goodwin	Kvale	Oliver, Ala.	Tucker
Graham	Langley	Parker	Underhill
Griest	Lankford	Perkins	Updike
Guyer	Larsen	Porter	Vestal
Hale	Leech	Pratt	Vinson, Ga.
Hall, Ill.	Lehlbach	Ramseyer	Wainwright
Hall, Ind.	Letts	Rankin	Wason
Hancock	Lowrey	Ransley	Watres
Haugen	Luce	Reece	Watson
Hersey	McDuffie	Reed, N. Y.	White, Me.
Hickey	McFadden	Robinson, Iowa.	Whittington
Hill, Ala.	McLaughlin	Rogers	Williams, Ill.
Hoch	McLeod	Rowbottom	Wolverton
Hoffman	McMillan	Rutherford	Wood
Hogg	McReynolds	Sanders, N. Y.	Woodrum
Hooper	McSwain	Seger	Wright
Hope	MacGregor	Selvig	
Huddleston	Maas	Sproul, Kans.	

NOT VOTING—87

Anthony	De Rouen	James	Sears, Fla.
Bankhead	Dickstein	Johnson, Okla.	Snell
Beck, Pa.	Doutrich	Jones	Spearing
Beck, Wis.	Doyle	Kendall	Strother
Begg	Drane	Kerr	Sullivan
Black, Tex.	Eaton	Kunz	Temple
Blanton	England	McClintic	Tillman
Bloom	Estep	McSweeney	Underwood
Boies	Fisher	Menges	Vincent, Mich.
Bowling	Fitzgerald, W. T.	Moore, N. J.	Weller
Bowman	Garner, Tex.	Nelson, Wis.	Welsh, Pa.
Buchanan	Garrett, Tenn.	Norton, N. J.	White, Kans.
Bulwinkle	Garrett, Tex.	O'Connell	Whitehead
Butler	Golder	Oldfield	Williams, Tex.
Carley	Greenwood	Oliver, N. Y.	Wilson, Miss.
Casey	Hammer	Palmer	Wingo
Clancy	Hare	Peavey	Wurzbach
Connally, Tex.	Howard, Okla.	Purnell	Wyant
Connery	Hudspeth	Quayle	Yates
Connolly, Pa.	Hughes	Reid, Ill.	Yon
Corning	Hull, Wm. E.	Robsion, Ky.	Zihlman
Deal	Igoe	Sabath	

So (two-thirds not having voted in favor thereof) the objections of the President were sustained, and the bill failed to pass.

The following pairs were announced:

Mr. Spearing and Mr. O'Connell (for) with Mr. Buchanan (against).

Mr. Corning and Mr. Peavey (for) with Mr. Connolly of Pennsylvania (against).

Mr. Clancy and Mr. Quayle (for) with Mr. Purnell (against).

Mr. Dickstein and Mr. Bloom (for) with Mr. W. T. Fitzgerald (against).

Mr. Carley and Mr. Sullivan (for) with Mr. Golder (against).

Mr. Moore of New Jersey and Mrs. Norton of New Jersey (for) with Mr. Wyant (against).

Mr. Weller and Mr. Oliver of New York (for) with Mr. Reid of Illinois (against).

Additional general pairs:

Mr. Begg with Mr. Oldfield
Mr. Butler with Mr. Garrett of Tennessee.
Mr. Gates with Mr. Doyle.
Mr. Beck of Pennsylvania with Mr. Howard of Oklahoma.
Mr. Zihlman with Mr. Wingo.
Mr. Eaton with Mr. McClintic.
Mr. Anthony with Mr. Garner of Texas.
Mr. Welch of Pennsylvania with Mr. Williams of Texas.
Mr. Hughes with Mr. Igoe.
Mr. Kendall with Mr. Casey.
Mr. Robsion of Kentucky with Mr. Garrett of Texas.
Mr. Nelson of Wisconsin with Mr. Black of Texas.
Mr. Estep with Mr. Greenwood.
Mr. William E. Hull with Mr. Connally of Texas.
Mr. Wurzbach with Mr. Deal.
Mr. England with Mr. Hammer.
Mr. Beck of Wisconsin with Mr. De Rouen.
Mr. Temple with Mr. Hudspeth.
Mr. Boise with Mr. Bulwinkle.
Mr. Vincent of Michigan with Mr. Johnson of Oklahoma.
Mr. Strother with Mr. McSweeney.
Mr. Bowman with Mr. Blanton.
Mr. Doutrich with Mr. Connery.
Mr. White of Kansas with Mr. Fisher.
Mr. James with Mr. Drane.
Mr. Menges with Mr. Hare.
Mr. Snell with Mr. Bankhead.
Mr. Palmer with Mr. Jones.
Mr. Kerr with Mr. Sabath.
Mr. Kunz with Mr. Sears of Florida.

Mr. WYANT. Mr. Speaker, I want to vote "no."

The SPEAKER pro tempore (Mr. ALDRICH). Was the gentleman in the room and listening when his name should have been called?

Mr. WYANT. I was not.

The SPEAKER pro tempore. The gentleman does not qualify.

The result of the vote was announced as above recorded.

The President's message was referred to the Committee on Roads.

AMENDING SALARY RATES IN THE COMPENSATION SCHEDULE OF THE ACT OF MARCH 4, 1923

Mr. LEHLBACH. Mr. Speaker, I call up the conference report on the bill (H. R. 6518) to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from New Jersey calls up the conference report on the bill H. R. 6518 and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

There was no objection.

The Clerk read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 6518) to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, and 37.

Amendment numbered 1: That the House recede from its disagreement to the amendment of the Senate numbered 1, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,400 and $2,500"; and the Senate agree to the same.

Amendment numbered 2: That the House recede from its disagreement to the amendment of the Senate numbered 2, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,000 and $3,100"; and the Senate agree to the same.

Amendment numbered 3: That the House recede from its disagreement to the amendment of the Senate numbered 3, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,600 and $3,700"; and the Senate agree to the same.

Amendment numbered 10: That the House recede from its disagreement to the amendment of the Senate numbered 10, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,040 and $2,100"; and the Senate agree to the same.

Amendment numbered 11: That the House recede from its disagreement to the amendment of the Senate numbered 11, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,400 and $2,500"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,700 and $2,800"; and the Senate agree to the same.

Amendment numbered 13: That the House recede from its disagreement to the amendment of the Senate numbered 13, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,000 and $3,100"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,400 and $2,500"; and the Senate agree to the same.

Amendment numbered 19: That the House recede from its disagreement to the amendment of the Senate numbered 19, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,700 and $2,800"; and the Senate agree to the same.

Amendment numbered 20: That the House recede from its disagreement to the amendment of the Senate numbered 20, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,000 and $3,100"; and the Senate agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,300 and $3,400"; and the Senate agree to the same.

Amendment numbered 22: That the House recede from its disagreement to the amendment of the Senate numbered 22, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,600 and $3,700"; and the Senate agree to the same.

Amendment numbered 23: That the House recede from its disagreement to the amendment of the Senate numbered 23, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,900 and $4,000"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,400 and $2,500"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$2,700 and $2,800"; and the Senate agree to the same.

Amendment numbered 34: That the House recede from its disagreement to the amendment of the Senate numbered 34, and agree to the same with an amendment as follows: In lieu of the matter proposed insert "$3,000 and $3,100"; and the Senate agree to the same.

FREDERICK R. LEHLBACH,
ERNEST W. GIBSON,
JOE J. MANLOVE,
EMANUEL CELLER,
Managers on the part of the House.

PORTER H. DALE,
SMITH W. BROOKHART,
JOHN J. BLAINE,
KENNETH MCKELLAR,
WALTER F. GEORGE,
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. 6518) to amend the salary rates contained in the compensation schedules of the act of March 4, 1923, submit the following written statement explaining the effect of the action agreed on by the conference committee and submitted in the accompanying conference report:

On amendments numbered 4, 5, 6, 7, 8, 9, 14, 15, 16, 17, 24, 25, 26, 27, 28, 29, 30, 31, 35, 36, 37:

Eliminate an additional salary rate in the respective grades added by the Senate to the salary rates for such grades carried in the House bill.

On amendments numbered 1, 2, 3, 10, 11, 12, 13, 18, 19, 20, 21, 22, 23, 32, 33, 34:

Eliminate the last of two salary rates added by the Senate to the salary rates for various grades carried in the House bill and retain the first of such additional rates.

FREDERICK R. LEHLBACH,
ERNEST W. GIBSON,
JOE J. MANLOVE,
EMANUEL CELLER,
Managers on the part of the House.

Mr. LEHLBACH. Mr. Speaker, I yield three minutes to the gentleman from New York [Mr. CELLER].

Mr. CELLER. Mr. Speaker and gentlemen, I shall not take the three minutes. I wanted an opportunity to explain my position in signing the conference report, together with the Senate managers and the two colleagues of the House. I did so reluctantly because the bill does not go far enough, but feeling that the legislation might be wrecked unless the majority signed the report on the part of the House I signed it in the interest of getting half a loaf.

You will note, for example, that realizing the strictest kind of economy we have refused to give even the charwomen in the Government employ an increase of 10 cents an hour, and only gave them 5 cents an hour. The total increase would have been negligible, yet those who have the ear of the White House said "nay." That is the kind of parsimony that seems to animate the sponsors of this bill. However, in justice to the vast army of civil employees who will get some increase, I signed the report, but I give notice that never again will I consent to sign a conference report unless absolute justice and equality is meted out to all employees.

Mr. LEHLBACH. Mr. Speaker, I yield five minutes to the gentleman from Virginia [Mr. WOODRUM].

Mr. WOODRUM. Mr. Speaker and gentlemen of the House, the Senate very materially improved the Welch bill. If you will recall under the terms of the Welch bill as passed by the House, at the top of each grade, under the new grades provided in the Welch bill, the maximum salary rates were identical with the old grades under existing law. Therefore, while there could be an increase of wages in the minimum it could not be moved up to the top, so the increases of salary could not go all the way through the grades. To remedy that the Senate added additional salary steps so there could be the same number of salary steps in the grades in the new bill as in existing law and therefore ample increase all along the line. To that extent it insured the increase in salary of all the employees. But it developed that there was a difference of two or three millions in cost, and they went to conference. We were told because they were afraid that the President would veto it, because of these two or three million dollars in cost, the Senate amendments, or part of them, were eliminated.

Now, this House has shown a disposition to deal liberally with the employees of the Government. A few days ago in the matter of salary increase for the postal employees for night work which embodied a difference of several million dollars in the pay roll the House did not hesitate to pass the bill over the President's veto.

It is very well, gentlemen of the House, for the country and the employees to know that when this bill is passed, it is not because the House would not have passed it with the Senate amendments if it had been given an opportunity to do so.

Now, what happened here? In the House bill we gave the charwomen—the poor old decrepit women, gray haired many of them, who get up at 6 o'clock in the morning, before daylight, when you are sleeping peacefully in bed in the wintertime, go out and get down on their knees and scrub the floors. The House gave them an increase of 5 cents an hour and the Senate, out of the liberality of their hearts, increased that to 10 cents an hour. The conferees, the watchdogs of the Treasury, could not stand for such an extravagant waste of public funds, and the conferees would not agree to give the poor old charwomen their 10 cents an hour. They struck 5 cents an hour off it. They work only three hours a day, and it meant only 15 cents a day each to these poor old creatures, and yet they struck it off; but I take the liberty of reminding you that those gentlemen in the salary grades who are getting an increase of $1,500 a year did not have any lopped off their salaries by the conferees. You do not suppose for a moment that the great President of the United States would have vetoed the salary bill because it increased the wages of the charwomen 10 cents an hour, nor do I.

My great objection to the whole proceeding is this: In the five years I have been in the House I think we have had 12 or 15 bills in the House to increase the salaries of different groups of Federal employees. We go ahead and act on them without information or without any idea of what the salary grades are in the other branches.

The SPEAKER. The time of the gentleman from Virginia has expired.

Mr. LEHLBACH. Mr. Speaker, I yield two minutes more to the gentleman.

Mr. JOHNSON of Washington. Is it not a fact that there is to be undertaken this summer a nation-wide classification, using the Welch bill as a basis, and is it not agreed that certain classifications in that bill are too low, but are proposed to be corrected as a result of this survey?

Mr. WOODRUM. It is so stated; but, take my word for it, you pass this Welch bill and you will not hear anything more of these salaries. This will be the end of it. This Government ought to start a comprehensive survey of its whole pay roll. This provides for only 135,000 out of the 550,000 employees. We ought to have a comprehensive survey of the whole system, and where we should increase salaries we ought to increase them, and where the salaries are large enough we ought to let them stay there. We ought to approach the situation in a businesslike, orderly fashion. You have stenographers in the Veterans' Bureau getting one rate of wages and you have them across the street in the Department of Justice getting an entirely different wage scale, and all the time we do not know what relation that wage scale bears to the wage scale in private industry. My plea is to have a comprehensive survey of the whole Federal pay roll, and then we will know how to deal with the salary question in an orderly and intelligent fashion.

Mr. LEHLBACH. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

Mr. SCHAFER. Mr. Speaker, a parliamentary inquiry. Do we understand that the vote was unanimous in favor of the conference report?

Mr. WOODRUM. No; there was one vote against it.

Mr. SCHAFER. I did not hear the gentleman vote against it.

Mr. WOODRUM. I did. The gentleman's hearing is bad.

VETERANS' LEGISLATION

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent for the present consideration of the bill (S. 2372) to amend section 201, subdivision (1), of the World War veterans' act, 1924, as amended.

The SPEAKER. The gentleman from South Dakota asks unanimous consent for the present consideration of the Senate bill, of which the Clerk will report the title.

The Clerk read the title of the bill.

Mr. SNELL. Mr. Speaker, may we be told what the bill is?

Mr. JOHNSON of South Dakota. We amended the Senate bill by striking out everything after the enacting clause and inserting word for word the bill, H. R. 13039, which passed the House without a dissenting vote about a month ago.

Mr. SNELL. What does this do?

Mr. JOHNSON of South Dakota. It is a general legislative bill, including all amendments to the veterans' act of 1924 which have been reported from the committee and passed by the House at this session of Congress, such as extending the time for the filing of compensation claims and the presentation of evidence, raising the allowance for the insane from $20 to $30 a month, providing for a little further education for minors who are dependent on the Veterans' Bureau, extending the time for insurance conversion, and some administrative changes.

Mr. SNELL. Do I understand that it is purely an administrative bill?

Mr. JOHNSON of South Dakota. No; not entirely. It is the same bill that I discussed for an hour on the floor of the House about a month ago.

Mr. SNELL. How much money does it involve?

Mr. JOHNSON of South Dakota. About $5,500,000.

Mr. RAMSEYER. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. RAMSEYER. Is this a Senate bill?

Mr. JOHNSON of South Dakota. Yes. I have offered as the House amendment the bill that passed the House 30 days ago. We struck out all after the enacting clause of the Senate bill and inserted the provisions of the bill that the House passed a month ago.

Mr. RAMSEYER. You substitute the bill as it passed the House?

Mr. JOHNSON of South Dakota. Yes; word for word. Now it goes to conference.

Mr. GARNER of Texas. May I ask what the conferees will do?

Mr. JOHNSON of South Dakota. That, of course, is a matter to be decided upon by them.

Mr. RAMSEYER. What does the Senate bill do?

Mr. JOHNSON of South Dakota. It provides for a change in the act with reference to the burial expenses of war veterans.

Mr. BROWNING. The Senate bill is just one section out of the bill that we passed heretofore.

Mr. JOHNSON of South Dakota. Exactly.

Mr. JOHNSON of Texas. Is this the bill that extends the time in which applications can be filed for insurance by the veterans who have been in the service?

Mr. JOHNSON of South Dakota. No; not the Senate bill. That bill is included in the committee amendments.

Mr. COCHRAN of Missouri. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. COCHRAN of Missouri. This is due to the fact that the Senate Committee on Finance has been so engaged on the tax bill that they have never been able to reach this bill?

Mr. JOHNSON of South Dakota. Yes. That is the reason why I am urging the passage of this bill. It will expedite the passage of the legislation.

The SPEAKER. The Chair will state that the amendments to the Senate bill are in exactly the same language as the bill that unanimously passed the House. Without objection, the bill will be printed in the RECORD.

There was no objection.

The bill is as follows:

An act (S. 2372) to amend section 201, subdivision (1), of the World War veterans' act, 1924, as amended

Be it enacted, etc., That section 201, subdivision (1), of the World War veterans' act, 1924, as amended (sec. 472, title 38, U. S. C.), is hereby amended to read as follows:

"(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those women who served as Army nurses under contracts between April 21, 1898, and February 2, 1901, who was not dishonorably discharged, dies after discharge or resignation from the service, the director, in his discretion and with due regard to the circumstances of each case, shall pay for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $107 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided,* That when such person dies while receiving from the bureau compensation or vocational training the above benefits shall be payable in all cases: *Provided further,* That where such person, while receiving from the bureau medical, surgical, or hospital treatment, or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, the above benefits shall be payable in all cases, and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories, or possessions, and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *Provided further,* That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed: *Provided further,* That the director may, in his discretion, make contracts for burial and funeral services within the limits of the amounts allowed herein without regard to the laws prescribing advertisement for proposals for supplies and services for the United States Veterans' Bureau: *Provided further,* That section 5, title 41, of the United States Code, shall not be applied to contracts for burial and funeral expenses heretofore entered into by the director so as to deny payment for services rendered thereunder, and all suspensions of payment heretofore made in connection with such contracts are hereby removed, and any and all payments which are now or may hereafter become due on such contracts are hereby expressly authorized: *And provided further,* That no deduction shall be made from the sum allowed because of any contribution toward the burial which shall be made by any State, county, or municipality, but the aggregate of the sum allowed plus such contribution or contributions shall not exceed the actual cost of the burial."

SEC. 2. That section 19 of the World War veterans' act, 1924, as amended (sec. 445, title 38, of the United States Code), be amended by adding the following:

"No suit shall be allowed under this section unless the same shall have been brought within six years after the right accrued for which the claim is made, or within one year from the date of the approval of this amendatory act, whichever is the later date: *Provided,* That for the purposes of this section it shall be deemed that the right accrued on the happening of the contingency on which the claim is founded: *Provided further,* That this limitation is suspended for the period elapsing between the filing in the bureau of the claim sued upon and the denial of said claim by the director. Infants, insane persons, or persons under other legal disability, or persons rated as incompetent or insane by the bureau shall have three years in which to bring suit after the removal of their disabilities. If suit is seasonably begun and fails for defect in process, or for other reasons not affecting the merits, a new action, if one lies, may be brought within a year though the period of limitations has elapsed. Judgments heretofore rendered against the person or persons claiming under the contract of war-risk insurance on the ground that the claim was barred by the statute of limitations shall not be a bar to the institution of another suit on the same claim. No State or other statute of limitations shall be applicable to suits filed under this section. This section shall apply to all suits now pending against the United States under the provisions of this section."

SEC. 3. That section 21, subdivision (2), of the World War veterans' act, 1924, as amended (sec. 450, title 38, of the United States Code), be hereby amended to read as follows:

"(2) Whenever it appears that any guardian, curator, conservator, or other person is not, in the opinion of the director, properly executing the duties of his trust or has collected or is attempting to collect fees, commissions, or allowances that are inequitable or are in excess of those allowed by law for the duties performed or expenses incurred, or has failed to make such payments as may be necessary for the benefit of the ward or the dependents of the ward, then and in that event the director is hereby empowered by his duly authorized attorney to appear in the court which has appointed such fiduciary and make proper presentation of such matters to the court: *Provided,* That the director, in his discretion, may suspend payments to any such guardian, curator, conservator, or other person who shall neglect or refuse, after reasonable notice, to render an account to the director from time to time showing the application of such payments for the benefit of such minor or incompetent beneficiary.

"Authority is hereby granted for the payment of any court or other expenses incident to any investigation or court proceeding for the appointment of any guardian, curator, conservator, or other person legally vested with the care of the claimant or his estate or the removal of such fiduciary and appointment of another, and of expenses in connection with the administration of such estates by such fiduciaries, when such payment is authorized by the director."

SEC. 4. That section 28 of the World War veterans' act, as amended (sec. 453, title 38, of the U. S. C.), is hereby amended to read as follows:

"SEC. 28. There shall be no recovery of payments from any person, who, in the judgment of the director, is without fault on his part, and where, in the judgment of the director, such recovery would defeat the purpose of benefits otherwise authorized or would be against equity and good conscience. No disbursing officer shall be held liable for any amount paid by him to any person where the recovery of such amount is waived under this section.

"When under the provisions of this section the recovery of a payment made from the United States Government life-insurance fund is waived, the United States Government life-insurance fund shall be reimbursed for the amount involved from the current appropriation for military and naval insurance."

SEC. 5. That a new section be added to Title I of the World War veterans' act, 1924, as amended (title 38, U. S. C.), to be known as section 34 and to read as follows:

"SEC. 34. The director is hereby authorized to contract for the services of translators without regard to the provisions of the act of August 5, 1882 (secs. 39, 45, 46, 50, title 5, U. S. C.), and the classification act of 1923 (secs. 43, 45, 46, title 5, U. S. C.). This section shall be deemed to be in effect as of June 7, 1924."

SEC. 6. That a new section be added to Title I of the World War veterans' act, 1924, as amended (title 38, U. S. C.), to be known as section 35 and to read as follows:

"SEC. 35. The director is hereby authorized to purchase transcripts of the record, including all evidence, of trial of litigated cases. This section shall be deemed to be in effect as of June 7, 1924."

SEC. 7. That section 201, subdivision (3), of the World War veterans' act, 1924, as amended (sec. 472, title 38, U. S. C.), be hereby amended to read as follows:

"(3) The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be permanently incapable of self-support by reason of mental or physical defect, then during such incapacity: *Provided,* That the payment of compensation shall be further continued after the age of 18 years and until completion of education or training, to any child who is or may hereafter be pursuing a course of instruction at a school, college, academy, seminary, technical institute, or university, particularly designated by him and approved by the director, which shall have agreed to report to the director the termination of attendance of such child, and if any such institution of learning fails to make such report promptly the approval shall be withdrawn: *And provided further,* That no compensation shall be paid to or for any child who reaches the age of 21 years."

SEC. 8. That the first paragraph of section 202, subdivision (7), of the World War veterans' act, 1924, as amended (sec. 480, title 38, U. S. C.), be hereby amended to read as follows:

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the Government of the United States for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $30 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however,* That if such person shall recover his reason and shall be discharged from such institution as competent, such additional sum shall be paid him as would equal the total sum by which his compensation has been reduced through the provisions of this subdivision."

SEC. 9. That section 202, subdivision 12, of the World War veterans' act, 1924, as amended (sec. 486, title 38, U. S. C.), be hereby amended to read as follows:

"(12) Where the disabled person is a patient in a hospital, or where for any other reason the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation may be apportioned as may be prescribed by regulations."

SEC. 10. That section 206 of the World War veterans' act, 1924, as amended (sec. 495, title 38, U. S. C.), is hereby repealed.

SEC. 11. That section 209 of the World War veterans' act, as amended (sec. 498, title 38, U. S. C.), is hereby repealed.

SEC. 12. That section 212 of the World War veterans' act, 1924, as amended (sec. 422, title 38, U. S. C.), be amended by adding thereto the following proviso:

"*Provided further,* That where the widow, child, or children, of a deceased veteran are entitled to compensation by virtue of an accrued right under the war risk insurance act, as amended, the rates of com-

pensation shall be the same as those provided by section 201 of this act."

SEC. 13. That section 300 of the World War veterans' act, 1924, as amended (sec. 511, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 300. In order to give to every commissioned officer and enlisted man and to every member of the Army Nurse Corps (female) and of the Navy Nurse Corps (female) when employed in active service under the War Department or Navy Department protection for themselves and their dependents, the United States, upon application to the bureau and without medical examination, shall grant United States Government life insurance (converted insurance) against the death or total permanent disability of any such person in any multiple of $500, and not less than $1,000 or more than $10,000 upon the payment of the premiums as hereinafter provided. Such insurance must be applied for within 120 days after enlistment or after entrance into or employment in the active service and before discharge or resignation: *Provided,* That any member of the reserve forces whose application was accepted at a time when he was in attendance at a military or naval training camp or station, and from whom premiums were collected, and who becomes or has become totally and permanently disabled, or dies or has died, shall be deemed to have made valid application therefor. This proviso shall not authorize the granting of more than $10,000 insurance to any one person: *Provided further,* That each officer and enlisted man of the Coast Guard who is serving on active duty at the time of the passage of this amendatory act, or who subsequent thereto enters the Coast Guard Service, shall be granted insurance in accordance with the terms of this section upon application within 120 days of the passage of this amendatory act, or date of enlistment or entry into the Coast Guard, whichever is the later date, and before retirement, discharge, or resignation.

"Yearly renewable term insurance shall be payable only to a spouse, child, grandchild, parent, brother, sister, uncle, aunt, nephew, niece, brother-in-law, or sister-in-law, or to any or all of them, and also during total and permanent disability to the injured person.

"Where the beneficiary for yearly renewable term insurance at the time of designation by the insured is within the permitted class of beneficiaries and is the designated beneficiary at the time of the maturity of the insurance because of the death of the insured, such beneficiary shall be deemed to be within the permitted class even though the status of such beneficiary shall have been changed.

"The United States shall bear the expenses of administration and the excess mortality and disability cost resulting from the hazards of war. The premium rate shall be the net rate based upon the American Experience Table of Mortality and interest at 3½ per cent per annum. This section, as amended, shall be deemed to be in effect as of June 7, 1924."

SEC. 14. That section 301 of the World War veterans' act, 1924, as amended (sec. 512, title 38, U. S. C.), be hereby amended to read as follows:

"SEC. 301. Except as provided in the second paragraph of this section, not later than July 2, 1927, all term yearly renewable insurance held by persons who were in the military service after April 6, 1917, shall be converted, without medical examination, into such form or forms of insurance as may be prescribed by regulations and as the insured may request. Regulations shall provide for the right to convert into ordinary life, 20-payment life, endowment maturing at age 62, five-year level premium term, and into other usual forms of insurance, and for reconversion of any such policies to a higher premium rate or, upon proof of good health satisfactory to the director, to a lower premium rate, in accordance with regulations to be issued by the director, and shall prescribe the time and method of payment of the premiums thereon, but payments of premiums in advance shall not be required for periods of more than one month each, and may be deducted from the pay or deposit of the insured or be otherwise made at his election: *Provided,* That no reconversion shall be made to the five-year level premium form of policy.

"All yearly renewable term insurance shall cease on July 2, 1927, except when death or total permanent disability shall have occurred before July 2, 1927: *Provided, however,* That the director may by regulation extend the time for the continuing of yearly renewable term insurance and the conversion thereof in any case where on July 2, 1927, conversion of such yearly renewable term insurance is impracticable or impossible due to the mental condition or disappearance of the insured.

"In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to convert said term insurance as hereinbefore provided: *Provided,* That where the time for conversion has been extended under the second paragraph of this section because of the mental condition or disappearance of the insured, there shall be allowed to the insured an additional period of two years from the date on which he recovers from his mental disability or reappears in which to convert.

"The insurance except as provided herein shall be payable in 240 equal monthly installments: *Provided,* That when the amount of an individual monthly payment is less than $5, such amount may in the discretion of the director be allowed to accumulate without interest and be disbursed annually. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American Experience Table of Mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries without the consent of such beneficiary or beneficiaries, but only within the classes herein provided.

"If no beneficiary be designated by the insured as beneficiary for converted insurance granted under the provisions of Article IV of the war risk insurance act, or Title III of this act, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, then there shall be paid to the estate of the insured the present value of the remaining unpaid monthly installments; or if the designated beneficiary survives the insured and dies before receiving all of the installments of converted insurance payable and applicable, then there shall be paid to the estate of such beneficiary the present value of the remaining unpaid monthly installments: *Provided,* That no payments shall be made to any estate which under the laws of the residence of the insured or the beneficiary, as the case may be, would escheat, but same shall escheat to the United States and be credited to the United States Government life insurance fund.

"The bureau may make provision in the contract for converted insurance for optional settlements, to be selected by the insured, whereby such insurance may be made payable either in one sum or in installments for 36 months or more. The bureau may also include in said contract a provision authorizing the beneficiary to elect to receive payment of the insurance in installments for 36 months or more, but only if the insured has not exercised the right of election as hereinbefore provided; and even though the insured may have exercised his right of election the said contract may authorize the beneficiary to elect to receive such insurance in installments spread over a greater period of time than that selected by the insured. This section, as amended, shall be deemed to be in effect as of June 7, 1924."

SEC. 15. That a new section be added to the World War veterans' act, 1924, as amended (title 38, U. S. C.), to be known as section 310 and to read as follows:

"SEC. 310. Notwithstanding the provisions of sections 300 and 301 of the World War veterans' act, 1924, as amended (secs. 511 and 512, title 38, U. S. C.), the United States, upon application to the bureau, shall grant United States Government life (converted) insurance against death or permanent total disability in any multiple of $500 and not less than $1,000 or more than $10,000 to any person who has heretofore applied or been eligible to apply for yearly renewable term insurance or United States Government life (converted) insurance: *Provided,* That such person is in good health and furnishes evidence satisfactory to the director to this effect: *Provided further,* That no person may carry more than $10,000 of United States Government life insurance at one time."

SEC. 16. That a new section be added to the World War veterans' act, 1924, as amended (title 38, U. S. C.), to be known as section 311 and to read as follows:

"SEC. 311. Wherever an insured under a yearly renewable term insurance contract or a United States Government life (converted) insurance policy is totally disabled for a period of 12 consecutive months he shall be entitled to receive total permanent disability benefits under his contract as though he were totally and permanently disabled, such payments to be effective as of the date such total disability began and to be made monthly in accordance with the terms of the contract during the continuance of such total disability. During the period of payments under this section premiums on such insurance shall be waived: *Provided, however,* That no retroactive payments shall be made under this section except where there is a period of total disability followed by permanent total disability, in which event payments shall be made effective not more than one year prior to the passage of this amendatory act: *Provided further,* That no application, conversion, or reinstatement shall be invalidated by reason of the provisions of this section. Provision shall be made by regulation for the reexamination of an insured under this section from time to time as the director may deem necessary, and in the event it is found that an insured is no

longer totally disabled payment of benefits shall cease and the provisions of the yearly renewable term insurance contract or the United States Government life-insurance policy, with reference to recovery from permanent total disability, shall apply: *Provided*, That the benefits of this section shall not prejudice any other cause of permanent total disability."

The SPEAKER. The question is on agreeing to the House amendments.

The amendments were agreed to.

SECOND DEFICIENCY BILL, 1928

Mr. WOOD. Mr. Speaker, I present a conference report on the second deficiency bill (H. R. 13873), making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes, and ask unanimous consent that the same be acted upon immediately.

The SPEAKER. The Clerk will report the title of the bill.

The Clerk read as follows:

A bill (H. R. 13873) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes.

The SPEAKER. The gentleman from Indiana asks unanimous consent for the present consideration of the conference report. Is there objection?

Mr. GARNER of Texas. May I ask the gentleman whether he has consulted the gentleman from Tennessee [Mr. BYRNS], the ranking Member of the subcommittee in charge of that bill?

Mr. WOOD. Yes; I have consulted with the gentleman from Tennessee. We are in entire agreement with the Senate. I ask unanimous consent, Mr. Speaker, that the report be read instead of the statement.

The SPEAKER. The gentleman from Indiana asks unanimous consent that the report be read instead of the statement. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the conference report.

The conference report was read.

The conference report and accompanying statement are as follows:

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. 13873) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 22, 23, 30, 36, 51, 52, 62, 68, 69, 72, 85, 86, 88, 93, and 122.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 24, 26, 28, 29, 31, 32, 33, 34, 35, 37, 38, 39, 40, 41, 42, 43, 44, 45, 46, 47, 48, 49, 50, 53, 54, 55, 56, 57, 59, 60, 61, 63, 64, 65, 66, 67, 71, 73, 74, 75, 76, 77, 78, 79, 80, 81, 83, 84, 87, 90, 91, 92, 94, 95, 96, 97, 98, 99, 100, 101, 102, 104, 105, 106, 107, 108, 109, 110, 111, 112, 114, 116, 117, 119, 120, 121, 124, 125, 126, 127, 128, 129, 130, 131, 132, 133, 134, 135, 136, and 137, and agree to the same.

Amendment numbered 21: That the House recede from its disagreement to the amendment of the Senate numbered 21, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment, insert "$12,000"; and the Senate agree to the same.

Amendment numbered 25: That the House recede from its disagreement to the amendment of the Senate numbered 25, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment insert the following as a new paragraph:

"The sum of $60,000 of the foregoing sums under Employees' Compensation Commission, applicable to the enforcement of the act entitled 'An act to provide compensation for disability or death resulting from injury to employees in certain employments in the District of Columbia, and for other purposes,' approved May 17, 1928, shall be chargeable to the District of Columbia and paid in like manner as other appropriations of the District of Columbia are paid."

And the Senate agree to the same.

Amendment numbered 27: That the House recede from its disagreement to the amendment of the Senate numbered 27, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"GENERAL ACCOUNTING OFFICE

"To enable the General Accounting Office to report to Congress the amount of the funds of the several Indian tribes, the investment thereof, the rate of interest thereon, and such additional information pertinent to the funds of such tribes as may be essential, including the employment in the District of Columbia and elsewhere of the necessary personal services without regard to civil service laws and regulations, fiscal years 1928 and 1929, $20,000."

And the Senate agree to the same.

Amendment numbered 58: That the House recede from its disagreement to the amendment of the Senate numbered 58, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"AIRCRAFT IN COMMERCE

"Aircraft in commerce: For an additional amount covering the same objects and purposes as specified under this head in the act making appropriations for the Department of Commerce for the fiscal year 1928, $72,500, to remain available until June 30, 1929, of which amount not to exceed $35,000 may be expended for personal services in the District of Columbia.

"Air navigation facilities: For an additional amount covering the same objects and purposes as specified under this head in the act making appropriations for the Department of Commerce for the fiscal year 1928, $1,000,000, to remain available until June 30, 1929, of which amount not to exceed $15,360 may be expended for personal services in the District of Columbia."

And the Senate agree to the same.

Amendment No. 70: That the House recede from its disagreement to the amendment of the Senate No. 70, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "and/or"; and the Senate agree to the same.

Amendment No. 82: That the House recede from its disagreement to the amendment of the Senate No. 82, and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert: "$35,000"; and the Senate agree to the same.

Amendment No. 89: That the House recede from its disagreement to the amendment of the Senate No. 89, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment, insert the following:

"INCREASE OF THE NAVY

"Construction and machinery: Toward the preparation of plans and estimates of cost of hulls and outfits of vessels and machinery of vessels authorized in the "Act making appropriations for the naval service for the fiscal year ending June 30, 1917, and for other purposes," approved August 29, 1916, fiscal year 1929, $200,000, to remain available until expended."

And the Senate agree to the same.

Amendment numbered 103: That the House recede from its disagreement to the amendment of the Senate numbered 103, and agree to the same with an amendment as follows: In lieu of the sum proposed insert: "$7,000,000"; and the Senate agree to the same.

Amendment numbered 113: That the House recede from its disagreement to the amendment of the Senate numbered 113, and agree to the same with an amendment as follows: In lines 5 and 6 of the matter inserted by said amendment strike out "(H. R. 11134, Seventieth Congress)"; and the Senate agree to the same.

Amendment numbered 115: That the House recede from its disagreement to the amendment of the Senate numbered 115, and agree to the same with an amendment as follows: In lines 4 and 5 of the matter inserted by said amendment strike out the words "fiscal year 1928" and insert in lieu thereof "fiscal years 1928 and 1929"; and the Senate agree to the same.

Amendment numbered 118: That the House recede from its disagreement to the amendment of the Senate numbered 118, and agree to the same with an amendment as follows: After the sum "$193,500" insert the following: "to be subject to the terms and conditions as set forth in such act"; and the Senate agree to the same.

Amendment numbered 123: That the House recede from its disagreement to the amendment of the Senate numbered 123,

and agree to the same with an amendment as follows: In lieu of the sum named in said amendment insert "$10,000"; and the Senate agree to the same.

WILL R. WOOD,
LOUIS C. CRAMTON,
JOSEPH W. BYRNS,
Managers on the part of the House.

F. E. WARREN,
CHARLES CURTIS,
LEE S. OVERMAN,
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. 13873) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1928, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1928, and June 30, 1929, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and embodied in the accompanying conference report, as to each of such amendments, namely:

On amendments Nos. 1 to 20, inclusive: Appropriates for the salaries and expenses of the Senate in the manner and in the amount specifically provided for in each of the Senate amendments.

On amendment No. 21: Appropriates $12,000 for the Biographical Directory of Congress instead of $20,000 as proposed by the Senate.

On amendments Nos. 22 and 23: Provides $633.29 as proposed by the House instead of $1,440.37 as proposed by the Senate for the payment of certain outstanding bills under the office of the Architect of the Capitol, and strikes out the appropriation of $500 inserted by the Senate for the payment of extra compensation to an employee of the Architect's Office.

On amendment No. 24: Makes available as proposed by the Senate the sum of $1,092.33 for the payment of actuarial services under the Bureau of Efficiency.

On amendment No. 25: Relating to the Employees' Compensation Commission: Appropriates $80,010, as proposed by the Senate, modified so as to require that such portion of that sum as may be due to the administration of the act of May 17, 1928, relating to compensation and injuries of employees of the District of Columbia shall be payable from the joint funds of the United States and the District of Columbia.

On amendment No. 26: Inserts the language proposed by the Senate relative to stenographic reporting services rendered the Federal Radio Commission during the fiscal years 1927 and 1928.

On amendment No. 27: Appropriates $20,000 instead of $45,000, as proposed by the Senate, to enable the General Accounting Office to make a report to the Congress on the funds of the several Indian tribes.

On amendment No. 28: Appropriates $200,000, as proposed by the Senate, for the George Rogers Clark Sesquicentennial Commission.

On amendment No. 29: Reappropriates certain unexpended balances, as proposed by the Senate, for the use of the George Washington Bicentennial Commission.

On amendment No. 30: Strikes out the appropriation of $75,000, inserted by the Senate, for the Mount Rushmore National Memorial Commission.

On amendment No. 31: Appropriates $75,000, as proposed by the Senate, for field investigations to be made by the Personnel Classification Board.

On amendment No. 32: Appropriates $68,000, as proposed by the Senate, for the Office of Public Buildings and Public Parks, and provides for maintenance and operation of Federal buildings.

On amendment No. 33: Inserts the contract authorization of $150,000,000, to enable the Shipping Board to carry out the loan provisions of sections 301 and 302 of the merchant marine act of 1928.

On amendment No. 34: Appropriates $7,000,000, as proposed by the Senate, for additional hospital facilities for the United States Veterans' Bureau.

On amendments Nos. 35 to 48, inclusive: Relating to the District of Columbia: Appropriates $15,000 as proposed by the Senate for office equipment and other expenses of the assessor's office; appropriates $45,000 as proposed by the House instead of $100,000 as proposed by the Senate for the athletic field at Western High School; appropriates as proposed by the Senate for payment to the Children's Hospital, Providence Hospital, Garfield Hospital, Georgetown University Hospital, and the Washington Home for Incurables, the amounts stated as due for the fiscal years 1926 and 1927 for the care of indigent patients; appropriates $800 as proposed by the Senate for the Temporary Home for Former Soldiers and Sailors; appropriates $20,000 as proposed by the Senate for completing the construction of two bathing pools; and appropriates $516.66 for the payment of a judgment certified to Congress after the bill had passed the House.

On amendments Nos. 49 to 56, inclusive: Relating to the Department of Agriculture: Appropriates $980,000 as proposed by the Senate for agricultural-extension work under the provisions of the act of May 22, 1928; strikes out the appropriation of $35,000 inserted by the Senate for the control of the European larch canker; appropriates $30,000 as proposed by the Senate for renewal of the water system at the agricultural station at Fort Keogh, Mont.; strikes out the appropriation of $35,000 for a horticultural station for the Southern Great Plains area; appropriates $2,500,000 as proposed by the Senate for the Mount Vernon memorial highway; appropriates $7,500 as proposed by the Senate for administration of the act to fix standards for hampers and baskets; makes available not to exceed $50,000 for carrying into effect the provisions of the act of May 17, 1928, relative to investigations in connection with wool standards, etc.; and appropriates $5,000,000, as proposed by the Senate, for carrying out the joint resolution to provide for the eradication of the pink bollworm.

On amendments Nos. 57 to 64, inclusive: Relating to the Department of Commerce: Appropriates $140,000 as proposed by the Senate for the enforcement of wireless communication laws; appropriates $72,500 instead of $197,500 as proposed by the Senate for expenses in connection with aircraft in commerce modified so as to eliminate the provision for the purchase of not to exceed 11 airplanes; appropriates $1,000,000 as proposed by the Senate for the construction and maintenance of air navigation facilities; appropriates $10,520 and $47,955 for the fiscal years 1928 and 1929, respectively, for the pay of commissioned officers of the Coast and Geodetic Survey; appropriates $25,000 as proposed by the Senate for investigations in connection with the loss of fish in irrigation ditches, etc.; strikes out the language proposed by the Senate increasing from $5,000 to $9,000 the amount which may be expended for the purchase of land for a fish hatchery in Oklahoma; and appropriates $25,000 as proposed by the Senate for mineral mining investigations in connection with manganese ore.

On amendments Nos. 65 to 82 inclusive: Relating to the Department of the Interior: Appropriates $2,500 as proposed by the Senate for lands and improvements at the Indian colony, Winnemucca, Nev.; appropriates $50,000 as proposed by the Senate for the survey and classification of lands on the Shoshone and Wind River Reservation in Wyoming; appropriates $15,000 as proposed by the Senate for the construction of a fence along the east boundary of the Papago Indian Reservation in Arizona; restores to the bill the language stricken out by the Senate fixing a limit of cost of $1,200,000 on the purchase of lands for the Navajo Indians; strikes out the language inserted by the Senate requiring lands purchased for the Navajo Tribe in Arizona to be subject to the payment of State or county taxes; appropriates $1,200 for maintenance of the Hogback irrigation project in New Mexico; strikes out the limitation inserted by the Senate prohibiting the expenditure from the $100,000 for the Middle Rio Grande conservancy district until such time as construction work is begun on and in behalf of Indian lands; appropriates $26,000 as proposed by the Senate for repairs and improvements at the Haskell Indian School, Kansas; appropriates $50,000 out of tribal funds for a hospital and physician's quarters on the Menominee Reservation, Wis.; appropriates $35,000 for a bridge and a road on the Hoopa Valley Reservation, Calif.; appropriates $8,000 for a road on the Zuni Reservation, N. Mex.; appropriates $2,500 for a tablet or marker at Medicine Lodge, Kans., under the act of May 27, 1928; makes available $1,000 from tribal funds for the maintenance of the Puyallup Indian Cemetery, Tacoma, Wash.; appropriates $70,000 as proposed by the Senate for the payment of claims for flood damages to the owners of certain lands at Hatch and Santa Teresa, N. Mex.; and provides $35,000 instead of $65,000 as proposed by the Senate for a topographic survey of the boundaries of the proposed Shenandoah National Park.

On amendments Nos. 83 and 84, relating to the Department of Justice: Appropriates $40,300 for salaries in the office of the Attorney General and $4,700 for contingent and miscellaneous expenses as proposed by the Senate.

On amendment No. 85: Strikes out the appropriation of $20,000 proposed by the Senate for the United States Employment Service.

Amendments Nos. 86 to 89, inclusive, relating to the Navy Department: Strikes out the authority inserted by the Senate for the use of $20,000 in connection with the research and investigation of safety devices and appliances for submarines; strikes out the appropriation of $5,000 proposed by the Senate for an investigation relative to the establishment of a central eastern ammunition depot; and inserts the appropriation of $200,000 proposed by the Senate for "Increase of the Navy," modified so as to limit the use of such appropriation to the preparation of plans and estimates of costs.

On amendment No. 90: Appropriates $7,500,000 as proposed by the Senate for foreign-mail contracts under the provisions of the merchant marine act of 1928.

On amendments Nos. 91 to 98, inclusive, relating to the Department of State: Appropriates $77 for the payment of a damage claim settled by the Secretary of State under the provisions of law; appropriates $200 for the refund of passport fees as authorized by law; strikes out the appropriation of $31,870 proposed by the Senate for traveling expenses of diplomatic, consular, and Foreign Service officers in connection with leaves of absence; appropriates $100,000 as proposed by the Senate for the International Exposition at Seville, Spain; appropriates $17,395.59 as proposed by the Senate for payment on account of damages sustained by the French ship *Madeleine;* appropriates $4,000 as proposed by the Senate for the American International Institute for the protection of Childhood; appropriates $5,000, as proposed by the Senate, for the contribution of the United States toward the Twenty-third International Congress of Americanists; and appropriates $9,819.93 for the relief of certain officers of the Foreign Service as authorized by law.

On amendments Nos. 99 to 104, inclusive: Relating to the Treasury Department; appropriates $842.07 additional as proposed by the Senate for the settlement of claims for damages determined and certified to Congress in accordance with existing law; appropriates $210,000 as proposed by the Senate for the preparation of preliminary plans and drawings for buildings in the general group projected for the triangle area in Washington; fixes a limit of cost of the extension of the public building at Salt Lake City, Utah, at $1,115,000, instead of $910,000; appropriates $7,000,000, instead of $5,000,000 as proposed by the House and $9,750,000 as proposed by the Senate, for the acquisition of property in the triangle area in Washington, and appropriates $40,000 as proposed by the Senate for paving International Street, Nogales, Ariz.

On amendments Nos. 105 to 123, inclusive, relating to the War Department: Appropriates $160,000 as proposed by the Senate for expenses of the Judge Advocate General's Office in connection with administration of the settlement of war claims, act of 1928; appropriates $14.50 additional for payment of damage claims; appropriates $375,000 as proposed by the Senate for construction at Fort Benjamin Harrison, Ind.; appropriates $300,000 as proposed by the Senate for construction at Walter Reed General Hospital; appropriates $50,000 and $1,750, respectively, for the completion of a hospital and the acquisition of additional land at Selfridge Field, Mich.; appropriates $34,700 as proposed by the Senate for the purchase of additional land in Hawaii for military purposes; authorizes the use of $29,200 additional from existing funds for the employment of personal services in the office of the Chief of Engineers for use in connection with flood control and river and harbor work; appropriates $24,215 as proposed by the Senate for the Zachary Taylor National Cemetery; appropriates $193,500 as proposed by the Senate for the paving of La Fayette Road, Ga.; appropriates $117,000 as proposed by the Senate for the improvement of the Ringgold Road, Ga., as proposed by the Senate; appropriates $14,000,000 and $1,000,000, respectively, as proposed by the Senate for carrying out the provisions of the flood control act; strikes out the appropriation of $6,500 proposed by the Senate for the preparation of plans and estimates for the improvement of the birthplace of George Washington at Wakefield, Va.; appropriates $10,000 instead of $25,000 as proposed by the Senate for a revision and codification of the laws of the Canal Zone.

On amendments Nos. 124 to 128, inclusive: Appropriates for the payment of judgments of United States courts certified to Congress after the bill had passed the House.

On amendments Nos. 129 to 134, inclusive: Appropriates for the payment of judgments of the Court of Claims certified to Congress after the bill had passed the House.

On amendment No. 135: Appropriates $108,982.03 for the payment of audited claims allowed by the General Accounting Office and certified to Congress after the bill had passed the House.

On amendments Nos. 136 and 137: Corrects section numbers in the bill to adjust to Senate amendments previously adopted.

WILL R. WOOD,
LOUIS C. CRAMTON,
JOSEPH W. BYRNS,
Managers on the part of the House.

Mr. WHITE of Maine. Mr. Speaker, will the gentleman from Indiana yield for a question?

Mr. WOOD. I yield.

Mr. WHITE of Maine. There were two amendments in the Senate bill designed to meet the needs of the merchant marine bill of 1928. Have those amendments been agreed to?

Mr. WOOD. They have.

Mr. NEWTON. There was some discussion over there about putting on an amendment providing for another survey for a canal on the Nicaragua route. As I understand, that went out in the Senate. Is that correct?

Mr. WOOD. It went out on a point of order, as I remember.

Mr. NEWTON. It is not in the conference report at all?

Mr. WOOD. No.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

RENEWAL OF BONDS OF GOVERNMENT EMPLOYEES

Mr. GRAHAM. Mr. Speaker, I ask unanimous consent to proceed for three minutes out of order.

The SPEAKER. The gentleman from Pennsylvania asks unanimous consent to proceed for three minutes out of order. Is there objection?

Mr. CHINDBLOM. The gentleman from Pennsylvania had better make it two minutes. We have only five minutes left under the order.

The SPEAKER. Is there objection?

There was no objection.

Mr. GRAHAM. I will try to make my statement in two minutes.

Mr. Speaker, I wish to call the attention of the House to a matter which to the Committee on the Judiciary seems to require immediate action. A letter was sent by the Secretary of the Treasury to the Speaker of the House and referred to the gentleman from New York [Mr. SNELL], and he introduced the bill that had been previously drawn by the Treasury Department to cover a condition which is now confronting that department.

The act of 1895 requires the renewal of all bonds every four years. The time for renewal is coming about again on July 1. The language of the act of 1895 is mandatory, using the word "shall." The new bill makes it "may" instead of "shall."

At that time nearly all bonds were individual bonds. To-day over 95 per cent of the bonds are corporate bonds, and judging from the corporate reports made by the sureties, they being under the control of the Treasury, there is not the same necessity for this renewal as formerly existed in regard to them. This act simply provides that the Treasury Department shall be relieved from the obligatory clause of the act of 1895, and that it be left to the Treasury Department to attend to the renewals under the word "may" instead of "shall."

Mr. GARNER of Texas. Mr. Speaker, we have gotten along under this law, as I understand it, from the year 1895 down to the present time. How is it that this emergency comes about? It is claimed by the gentleman from Pennsylvania [Mr. GRAHAM] that it is now desired to leave it to the discretion of the Secretary of the Treasury as to whether a new bond is required or not. I think it requires a little more consideration than the mere statement of the gentleman from Pennsylvania, and I shall object. I think this matter is entitled to a little more consideration than the mere statement of the gentleman from Pennsylvania, and if it is to come up under unanimous consent I am going to object.

Mr. GRAHAM. Well, that ends it. The bill will not be passed, then; that is all.

Mr. GARNER of Texas. I can not understand how it is so very important at this late date when we have gone along for some 30 years.

Mr. GRAHAM. It is because the conditions have changed from what they were then.

Mr. GARNER of Texas. The condition changed five years ago the same as it has changed now. It is no different.

HOUR OF MEETING

Mr. TILSON. Mr. Speaker, I ask unanimous consent that when the House adjourns to-night, it adjourn to meet to-morrow at 11 o'clock.

The SPEAKER. The gentleman from Connecticut asks unanimous consent that when the House adjourns to-night it adjourn to meet to-morrow at 11 o'clock. Is there objection?

Mr. UNDERHILL. Mr. Speaker, that does not interfere with the recess?

Mr. TILSON. Not at all.

The SPEAKER. Is there objection?

There was no objection.

Mr. TILSON. Mr. Speaker, I am going to move in a minute that we take a recess until 8 o'clock in accordance with the previous order of the House.

The SPEAKER. Under the order the gentleman must make that motion at 6 o'clock.

VETERANS' BUREAU HOSPITAL FOR KENTUCKY

Mr. THATCHER. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Without objection, it is so ordered.

There was no objection.

Mr. THATCHER. Mr. Speaker, I am very much gratified at the action of Congress in passing H. R. 12821, entitled "A bill to authorize an appropriation to provide additional hospital, domiciliary, and out-patient dispensary facilities for persons entitled to hospitalization under the World War veterans' act, 1924, as amended, and for other purposes." I am equally gratified because of the President's action in approving the measure.

The bill authorizes the appropriation of the sum of $15,000,000, to become immediately available and to remain available until expended, for the purpose of constructing new hospitals and further hospital and other facilities—to quote the language of section 1—

> to care for the increasing load of mentally afflicted World War veterans and to enable the United States Veterans' Bureau to care for its beneficiaries in Veterans' Bureau hospitals rather than in contract temporary facilities and other institutions.

In brief, the bill authorizes the indicated sum for the purpose of constructing new Veterans' Bureau hospitals and additions to existing Veterans' Bureau hospitals to care for neuropsychiatric—that is to say, nervous and mental—cases and to care also for World War veterans' cases now being cared for under contract in hospitals of the country which are not Veterans' Bureau institutions.

ENDS SEVERAL YEARS OF EFFORT

The enactment of this legislation ends the efforts which have been waged for several years by its proponents. At the last session a similar bill, carrying a total authorization of $11,000,000, passed the House, but failed of passage in the Senate because of the filibuster there on other matters at the session's close.

The urgent need for the adoption of this hospital construction program is clearly shown in the hearings had on the subject in the two sessions of the Sixty-ninth Congress and in this, the first session of the Seventieth Congress. Because of my first-hand knowledge of the need for such a hospital in Kentucky, I have made every effort to secure the legislative authorization therefor. While this bill simply authorizes the appropriation of $15,000,000 for the purposes already named, the report of the committee—the House Committee on World War Veterans' Legislation—sets forth the various new hospitals and additional hospital facilities considered by the committee in arriving at the total figure of $15,000,000 carried in the bill, and the proposed new hospital for Kentucky is specifically named in the report, and the Director of the Veterans' Bureau will be governed accordingly. Permit me to quote from that report the following:

> Particular attention is also invited to the addition of $1,000,000 for a neuropsychiatric hospital in the Kentucky area. A similar provision was included in the bill reported last year. It was stated then by the chairman of the hospital committee who reported the bill that—
>
> "Representations as to the need of a new neuropsychiatric hospital in the area of which the center would be found to be in Kentucky led the committee last year to recommend appropriation for it in a bill that is now on the calendar, contemplating the erection of a 250-bed hospital. Adding this estimate of $1,000,000 for Kentucky to the bureau's program, together with the 150 additional beds at Oteen, as well as provision for the construction of a nurses' convalescent home in Washington which the committee recommends, and subtracting the savings probable at Atlanta, gives a total estimated cost of very close to $11,000,000, and accordingly your committee recommends the passage of H. R. 17157 authorizing appropriation of that amount."
>
> Evidence was presented at the committee hearings showing an even greater need at this time in the Kentucky area, and your committee therefore included this item in the bill.

NEUROPSYCHIATRIC HOSPITAL FOR KENTUCKY

This authorization bill (H. R. 12821) carries as a part of the total of fifteen millions the sum of $1,000,000 for a neuropsychiatric hospital in Kentucky. Because of my first-hand knowledge of the need for such a hospital in Kentucky, I have made every effort to secure the legislative authorization therefor. While this bill simply authorizes the appropriation of $15,000,000 for the purposes already named, the report of the committee—the House Committee on World War Veterans' Legislation—sets forth the various new hospitals and additional hospital facilities considered by the committee in arriving at the total figure of $15,000,000 carried in the bill, and the proposed new hospital for Kentucky is specifically named in the report, and the Director of the Veterans' Bureau will be governed accordingly. Permit me to quote from that report the following:

PREVIOUS BILLS

The committee's quotation from the committee's report on the omnibus hospital bill of the last session of the Sixty-ninth Congress, already mentioned, referred to the committee's favorable action taken at the first session of the Sixty-ninth Congress on H. R. 10398, a separate bill introduced by me at that session, authorizing the appropriation of $1,125,000 for the construction in Kentucky of a 250-bed neuropsychiatric hospital. On that bill, at my request, hearings were held by the committee, at which I appeared, together with others familiar with the needs involved, with the result that on May 28, 1926, the committee, through one of its members, Representative IRWIN, of Illinois, favorably reported the measure. This report was made near the close of the session and there was no opportunity for the bill to be placed on its passage before the session closed. Then, at the second session of the Sixty-ninth Congress, the $11,000,000 omnibus hospital bill, as I have already stated, passed the House but died in the Senate filibuster.

On that bill, however, ample hearings were held; and as the committee indicated its desire to deal with the entire subject of new hospital construction in a single authorization, or omnibus measure, I asked for and secured at the hands of the committee a new hearing touching the need for the proposed hospital for the Kentucky region, and, at the committee's suggestion, did not press for a separate action on H. R. 10398. The matter was presented in the same manner as in the first session of the Sixty-ninth Congress on H. R. 10398, with the result, as already shown, that the committee approved the item for $1,000,000 for a neuropsychiatric hospital in the Kentucky region, further studies and hearings having convinced the committee that this sum would construct the 250-bed hospital asked for.

Again, on H. R. 12821, at the present session the committee, in the course of its hearings thereon, heard anew and with data brought down to date, the proposal for a neuropsychiatric hospital in Kentucky, and again—and for the third time—approved the proposal and, as already indicated, included in the bill the sum of $1,000,000 therefor.

LEGION INDORSEMENT—ACKNOWLEDGMENT OF APPRECIATION

The Director of the Veterans' Bureau did not include the Kentucky hospital project in his recommendations for new hospitals, but it was indorsed by the American Legion. In fact, the American Legion has long recognized the need for this hospital, and in its national conventions or meetings for the past several years has gone on record as favoring the project.

Touching my efforts in behalf of the Kentucky hospital, I wish to acknowledge with appreciation the effective aid and cooperation of the National and Kentucky Legion organizations, and particularly the effective assistance rendered by legionnaires of both these organizations of the Legion, including Capt. Watson B. Miller, chairman national rehabilitation committee, and John Thomas Taylor, vice president of the legislative committee of the national organization, and the following members of the Kentucky organization: Col. James D. Sory, State service officer of the American Legion, Department of Kentucky; Capt. Allen E. Denton, past commander of the American Legion of Kentucky; and Gen. Ellerbe W. Carter, of Louisville, Ky., who appeared with me in behalf of the project at one or more of the hearings on the Kentucky proposal.

I also desire to express appreciation for the cooperation rendered by Kentucky Senators and Representatives. In addition an acknowledgment of gratitude is due the House committee for its fine action in granting the various hearings on the bills involved and in cooperating to secure the enactment of this legislation, and particularly the committee members—Mrs. ROGERS, Representative from Massachusetts, who filed the favorable committee report on H. R. 12821; Representative GORDON BROWNING, of Tennessee; Mrs. NORTON, Representative from New Jersey; Representative RANKIN, of Mississippi; Representative FITZGERALD, of Ohio; and Representative IRWIN, of Illinois, who, as heretofore stated, filed the favorable committee report in May, 1926, on the first measure introduced in behalf of the Kentucky hospital. Out of the 21 members constituting the committee only 2 joined in an adverse report on the

Kentucky proposal—Representative JOHNSON, of South Dakota, chairman of the committee, and Representative LUCE, of Massachusetts, chairman of the subcommittee conducting the hearings. These gentlemen were evidently largely influenced in their action by the attitude of the Veterans' Bureau in failing to recommend a Kentucky hospital, although the bureau recommended all the other projects covered by H. R. 12821, except the southern New England project, which the majority of the committee also included in the favorable report, and provision therefor was made in the bill. However, no fight was made by these dissenting committee members on the Kentucky or southern New England proposal when the bill came before the House for consideration and passage, and the measure, I am glad to say, passed both Houses without any adverse votes thereon.

ACTION BY DIRECTOR OF VETERANS' BUREAU—APPROPRIATIONS

Since the passage of the bill the Director of the Veterans' Bureau has accepted in good faith the action of Congress in the passage of the bill and has given assurance that the recommendations of the committee as embodied in its report would be by him fully accepted and followed. Accordingly, he has recommended, and there has been appropriated, as I have already pointed out, an adequate appropriation—$7,000,000—for the first year's building program under the bill; and thus the Kentucky hospital project will be taken care of, as will the other projects authorized by this legislation. The director estimated that the indicated sum will be sufficient for the first year's purposes, and during the second ensuing fiscal year he will ask for the additional appropriation needed under the authorization for the completion of the building program.

INDORSEMENTS OF BILL

It is to be noted that H. R. 12821 has been indorsed not only by the American Legion, but also by the disabled American veterans, the Veterans of Foreign Wars, and the Spanish War veterans.

The Director of the Veterans' Bureau will now make or have made a survey of the entire field, and with the aid of the Federal Board of Hospitalization, of which he is chairman, he will make recommendations as to sites for these various projects, including, of course, that for the Kentucky region, and thereupon, when these recommendations are approved by the President, it is expected that sites will be acquired and the hospital construction authorized by the bill will be started.

In this general connection we may rest assured that General Hines, the director, will exercise every care to the end that the best interests of the needs of the ex-service men may be adequately met. He is charged with grave responsibilities in the discharge of his duties, and I am sure that he desires to receive the fullest measure of aid and cooperation of Congress in the performance of those duties, and on this aid and cooperation, I am sure, he may fully count.

DIFFICULTIES INVOLVED

The effort to secure the legislation authorizing the new hospital for the Kentucky region was made difficult by the fact that the Director of the Veterans' Bureau did not see his way clear to recommend it. The contention of the proponents of the measure was that the records of the Veterans' Bureau at Washington did not truly reflect the actual conditions in Kentucky as to the number of neuropsychiatric cases, service connected, requiring hospitalization. At present Kentucky is woefully deficient in hospital facilities of this character. Only the veterans' bureau at Chillicothe and the soldiers' home at Marion, in northern Indiana, are available for Kentucky neuropsychiatric cases, and they are always filled. The result has been and is that Kentucky ex-service men needing neuropsychiatric hospitalization have found it practically impossible to secure hospitalization, and have long ceased to make application therefor. Hence the Veterans' Bureau records fail to give the true picture involved, and this failure rendered the problem of securing favorable action on the Kentucky hospital project difficult. All these facts were convincingly brought out at the committee hearings.

The testimony introduced at these hearings was that in Kentucky alone there were hundreds of service-connected neuropsychiatric cases needing hospitalization that were altogether unable to secure it because of the absolute lack of hospital facilities therefor. The suggestion of the director had been that the addition of 130 beds at Chillicothe—and provided for in H. R. 12821—might meet the Kentucky situation; but these additional beds will doubtless be absorbed in Ohio alone. Meanwhile the whole neuropsychiatric load is constantly increasing, and the peak load will not be reached for several years to come. This is true not only of Kentucky but of the entire country.

GENERAL HOSPITAL PROGRAM INVOLVED

In this connection it may be of interest to state the fact that at the close of February, 1928, the United States Veterans' Bureau was operating 50 hospitals and using a part of the facilities of 48 other Government hospitals and 168 civilian hospitals. The total patient load on that date was about 27,143, divided into three general classes, as follows: Tuberculosis, 7,301; general medical and surgical, 6,985; and neuropsychiatric, 12,857.

Under the authorization of the omnibus bill which has just become a law, in addition to a new hospital for Kentucky and a new hospital for southern New England, new hospital facilities will be provided at Bedford, Mass., neuropsychiatric, 130 beds; Oteen, N. C., tuberculosis, 200 beds; North Chicago, Ill., neuropsychiatric, 300 beds; St. Cloud, Minn., neuropsychiatric, 100 beds; American Lake, Wash., neuropsychiatric, 100 beds; Philadelphia, Pa., neuropsychiatric, 800 beds; Atlanta, Ga., general, 200 beds; Chillicothe, Ohio, neuropsychiatric, 130 beds; Maywood, Ill., neuropsychiatric, 250 beds, tuberculosis, 180 beds; Walla Walla, Wash., tuberculosis, 100 beds; North Little Rock, Ark., neuropsychiatric, 130 beds; Tuskegee, Ala., neuropsychiatric, 100 beds; Kansas City, Mo., general, 300 beds; Excelsior Springs, Mo., neuropsychiatric, 300 beds; Walter Reed Hospital, neuropsychiatric, 100 beds; and a special fund of $500,000—

to revamp existing facilities to meet changes in load, such as at Outwood, Ky., and at Fort Lyons, Colo., if needed.

GREAT SOUTHERN AREA WITHOUT NEUROPSYCHIATRIC FACILITIES

Another reason—and a very strong one—for the construction and maintenance of a neuropsychiatric hospital in the Kentucky region is the fact that at present the great area, bounded by a line extending from Perryville, Md., through Chillicothe, Ohio, Marion, Ind., to Chicago, Ill.; thence to Little Rock, Ark.; thence to Gulfport, Miss.; thence to Augusta, Ga., and including therein Kentucky, Tennessee, and several other of our most important States and sections, is without any neuropsychiatric hospital facilities whatsoever. The greatest need for these facilities appears to be in Kentucky, and the forthcoming hospital will therefore be located in the Kentucky region at such place as the director, with the approval of the President, may select. This is in accordance with the provisions of the bill. Kentucky will thus be directly served, and the other sections of the indicated area will also have the benefit of the hospital facilities thus to be provided.

If this new hospital—to be of not less than 250-bed capacity—should prove insufficient, then, under the authority of the bill and as indicated in the report, a revamping of the Veterans' Bureau tuberculosis hospital at Outwood, Dawson Springs, Ky., may be made, whereby an increase of neuropsychiatric facilities may be provided. However, it is not believed that the policy of mingling these two classes of patients is desirable and this feature should only be utilized as a last resort, and after the other facilities authorized by this legislation shall prove inadequate.

Mr. Speaker, I am very glad to repeat that the director, General Hines, has accepted the action of Congress in the matter of the proposed new hospital for Kentucky in the utmost good faith, and he has given assurance that in his action under the authorization bill he will treat it just as he will treat the other projects included in the bill which made up his hospital building program as recommended by him to Congress, and which was by Congress approved by its inclusion in the committee report and in the lump-sum authorization carried in the bill.

A PERSONAL NOTE

Because of my identification with the Kentucky project from the outset and my efforts therefor, I trust that it may not be inappropriate to quote the following excerpts from letters recently received by me, one from Mrs. ROGERS, Representative from Massachusetts, who filed for the House committee favorable report on H. R. 12821, and the other from Representative IRWIN, of Illinois, who in May, 1926, filed for the committee favorable report on the original Kentucky hospital bill, which I had the honor to introduce. For these very kind expressions I am deeply grateful and I should like to include within them all those who have aided in bringing about the enactment of this legislation.

The following is from the letter from Mrs. ROGERS:

I must not fail to extend to you my heartiest congratulations on your splendidly effective fight for the proposed new neuropsychiatric hospital in Kentucky. I am in the best of position to know of your work in regard to this matter, for I have been a member of the House Committee on World War Veterans' Legislation since its creation, and during the recent session of Congress I had the honor to prepare and file for the committee the favorable report on H. R. 12821, the bill authorizing a $15,000,000 Veterans' Bureau hospital construction program, in which there is included $1,000,000 for the indicated hospital for Kentucky.

* * * * * * *

Your persistent and effective work in the indicated behalf is entitled to the highest praise. Not only did you thus urge and labor for the new Kentucky hospital, but you have also urged and labored in behalf of the entire program for nation-wide hospital construction. Your successful efforts in behalf of the Kentucky project are especially notable because that project did not have the backing or approval of the Veterans' Bureau officials, while practically all the other projects thus authorized had received it. However, your presentation of the need for a new hospital for the Kentucky region convinced the committee of the need and determined the committee's action in the matter. The Veterans' Bureau has accepted in the utmost good faith the judgment of our committee and of Congress touching all the projects authorized. General Hines, the Director of the Veterans' Bureau, promptly recommended the appropriation of $7,000,000 for the first year's work under this construction program, which includes the Kentucky hospital, and Congress at once made the appropriation.

Knowing the character and extent of your efforts in behalf of this hospital construction program, as a member of the House committee, I desire to thank you therefor; and I feel that our veterans of the World War generally and those of the Kentucky region especially owe you a great debt of gratitude for the splendid and effective service you have thus rendered in their behalf.

The following is from the letter of Congressman IRWIN:

I wish to congratulate you on your success in having passed the bill appropriating $1,000,000 for the erection of a neuropsychiatric hospital in the State of Kentucky for the use of veterans of the World War.

I was very much interested in the passage of this bill, as you will recall that I was chairman of the subcommittee on hospitals in the Sixty-ninth Congress. At that time the bill was reported favorably by the full committee on recommendation of the subcommittee.

I wish to say, further, that the disabled World War veterans of Kentucky are fortunate in securing this hospital, and they certainly owe you a debt of gratitude for the splendid fight you made before the subcommittee and also on the floor of the House, which resulted in the passage of the bill.

Also, in this connection it might be noted that Maj. John Thomas Taylor, vice chairman of the national legislative committee of the American Legion, to whom reference has already been made, in a recent letter to a prominent legionnaire of Kentucky, responsive to inquiry concerning my record in Congress touching American Legion legislative matters, was kind enough to state:

I am very happy to be able to say to you that he [Representative THATCHER] has not only been with us at all times so far as voting was concerned, but has personally devoted a great deal of time and attention to defending phases of legislation of interest to World War veterans. I think we can say without question that it was through his untiring efforts that the 250-bed hospital is being provided for Kentucky. For several years he worked to this end in Congress with the Legion, and finally succeeded in the present session of Congress.

I consider him a very sincere friend of the veterans.

CONCLUSION

Of course, the hospitalization of the saviors and defenders of the Republic needing or requiring such care is a matter of paramount importance. No duty of the Republic is of a more sacred character. The American people demand and expect that all needed legislation and required appropriations shall be promptly made for this purpose. The growing load of nervous and mental cases in the ranks of our World War veterans is an added evidence of the frightfulness of war; and the tender heart of a mighty nation is consecrated to the proud task of doing everything possible to alleviate the afflictions sustained by the flower of the country's youth during the greatest conflict of history.

EDITORIALS ON RETIREMENT FROM CONGRESS

Mr. SINNOTT. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD by printing some editorials on my retirement from Congress.

The SPEAKER. Without objection it is so ordered.

There was no objection.

Mr. SINNOTT. I am deeply appreciative to the press of my State for these very generous editorial comments. I hope I have merited a small part of the kind things they say.

I doubt if my friends in the House will recognize me in my editorial dress.

If I have accomplished anything in Congress, it is due to the loyal support I have always received from the press of my district and State.

The editorials referred to are as follows:

[From The Dalles Chronicle]

NICK SINNOTT

Oregon will be losing one of the most able Representatives it has ever had in Congress when NICHOLAS J. SINNOTT resigns, as it is anticipated that he will, to accept a justiceship in the United States Court of Claims at Washington, D. C.

"NICK," as everyone in The Dalles knows him, is deserving of the political reward President Coolidge has proffered. For 15 years he has represented eastern Oregon in Congress, and during this time he has worked his way to the highest rankings the Republican Party can give in the way of committee chairmanships.

This prominence at Washington has been a big advantage to this district and to Oregon, when problems have arisen at the Capital that have required expert political maneuvering. SINNOTT was in a position to demand and receive favors from his colleagues that meant much when the final votes were tabulated.

Just as an example, when Oregon and California cherry growers were threatened with ruinous competition from Europe in the marketing of cherries imported in brine for maraschino purposes, it was SINNOTT who took the leading part in having the duty raised again. It was SINNOTT who had the old duty retained while the Government sent agents into the field to investigate cherry-production costs, and it was largely due to SINNOTT'S efforts that the Tariff Commission finally recommended a 50 per cent duty increase, which was carried out by the President.

This is merely an isolated example, out of hundreds that might be used to illustrate the splendid service NICK SINNOTT has given his constituents. That residents of eastern Oregon realize his worth is attested by the regularity with which they have sent him back every two years despite really warm opposition at times. This year so certain were potential candidates that they would not have a chance against SINNOTT, that not a one of them thought it worth while to file for the nomination.

It is a signal honor for The Dalles that one of its citizens, already distinguished, should be elevated still further by appointment to one of the high judicial positions of the Government.

For NICK is a native son of The Dalles. He was born here December 6, 1870, when his father, N. B. Sinnott, was operating the now historic Umatilla House, then regarded as one of the finest hostelries in the State.

He was graduated from the old Wasco Independent Academy in one of the last graduating classes put out by that school, and then went East to Notre Dame, where he completed his education. At Notre Dame SINNOTT was one of the greatest all-around athletes the school had ever produced.

Following his graduation SINNOTT returned to The Dalles and engaged in the practice of law, being associated with the late Judge A. S. Bennett. In 1913, when the new second congressional district was formed in eastern Oregon, SINNOTT was elected for the first time to the National House of Representatives, a position which he has since filled to the complete satisfaction of his constituents.

For NICK SINNOTT'S sake the Chronicle is sincerely glad that his abilities have received further national recognition. He is amply qualified to handle the judicial duties his new position will involve, and he will be relieved from the always uncertain status of a politician, dependent on the whims of the voters.

The loss to Oregon and the Northwest will be great, however, for no matter how able is the man who succeeds N. J. SINNOTT at Washington, he will suffer by comparison in the years it takes to gain party favor and national prestige.

[From the Portland Oregonian]

LOSING A VALUED SERVANT

There are not many Oregonians by whom the news that the President has nominated Representative SINNOTT, of the second Oregon district, for a seat on the Court of Claims bench will not be read with mingled emotions of gratification and regret. It is pleasing, on the one hand, to know that a distinguished and deserving native son has been so signally honored and on the other it is not a matter for self-congratulation that the State is to be deprived of his further service in Congress.

Mr. SINNOTT is now serving his eighth consecutive term, and though nominally the Representative for the second district he has on every occasion given heed to the interests of all Oregon. His conception of the duties of a Congressman was broad and statesmanlike. An experience of some 15 years in the National Legislature, united with a natural talent for public affairs, had peculiarly qualified him for the discharge of his duties. As chairman of the Committee on the Public Lands and as a member of the Committee on Irrigation and Reclamation, he frequently gave evidence of his grasp of the problems they implied, and placed not only his district but the entire West in his debt.

It is an unavoidable misfortune that a district which had loyally adhered to the rule of giving recognition to merit should at length lose that which is a manifest advantage. It is not, however, a reason for withholding a deserved encomium.

[From the Portland Journal]

HIS PROMOTION

The citizens of the second congressional district of Oregon will find it extremely difficult to replace Congressman SINNOTT, who has been

appointed to the Claims Court by the President. The voters of that district will find it no easy task to send another man to Washington who has the ability, the energy, the honesty, and the high purpose of Mr. SINNOTT.

He has represented his district for years. In that time he has risen to high place in Washington. He has an excellent record of accomplishment for his district and State. He was always to be found in support of those measures which were good for the State and Nation.

Mr. SINNOTT earned a promotion, but it will require a man of very high purpose and unusual ability to fill the place left vacant in the Oregon delegation at Washington.

[From the Portland Telegram]

N. J. SINNOTT

Appointment of N. J. SINNOTT as justice of the United States Court of Claims is a deserved recognition of faithful public service. For 15 years Mr. SINNOTT has represented in Congress not only the second district but all of Oregon.

His position as chairman of the Committee on the Public Lands and as a member of the Committee on Irrigation and Reclamation has given him a favorable opportunity to serve a State vitally concerned in these questions.

Our congratulations go rather to Mr. SINNOTT than to Oregon, which in this instance accepts the honor gained through its distinguished son with something of reluctance and regret.

[From the Klamath Falls Herald]

OUR LOSS

When we record the appointment of Congressman N. J. SINNOTT to the Court of Claims we very properly feel that it is our loss. While we all rejoice with NICK in his promotion, for the position is for life, we do hold a deep regret that he is to leave the second Oregon district, which he has served so long and so well in Congress.

We have had with NICK SINNOTT in Congress dignified and effective representation, for Mr. SINNOTT has steadily gained in standing until his committee appointments show conclusively that he is one of the leaders in the lower House.

His resignation will open the second district congressional contest to a number of eligibles, and we look for an interesting campaign among the boys who would wear the SINNOTT toga.

[From the La Grande Observer]

It is entirely too customary when a man in public life dies or retires or otherwise vacates a job to express regret that his services are lost. In the case of NICK SINNOTT, Representative in Congress from this district, the appointment to the Court of Claims is, however, a matter of deep regret for all of Oregon. Mr. SINNOTT has won wide approval. It can be sincerely said that his service has been extremely fruitful. He has worked for the interests of his State and the entire West with fine vision and notable intelligence. He was highly respected at Washington, conducted himself in a way that was always creditable to this State and this district. This appointment is a step upward well earned, and the people of the State will wish him well while they deeply regret the necessity for a change.

[From the Pendleton East Oregonian]

NOT SO GOOD

The President has offered Congressman SINNOTT a lifetime appointment on the Court of Claims at a salary of $12,500 a year, and the eastern Oregon Congressman can not be blamed for accepting it. It is known that he desired a judicial position, and he is to be congratulated upon achieving that ambition.

It is not good news for Oregon, however, and the loss of Mr. SINNOTT may hamper the progress of the Umatilla rapids project through Congress. He was largely responsible for securing the Federal survey of the project and he is one of the authors of the measure calling for its construction. As a member of the Irrigation Committee, and as Member of the House steering committee, he was in a position to do effective work. Incidentally he has been doing such work and he is now engaged in preparing a favorable report by the House committee.

Along with the story of Mr. SINNOTT'S appointment to the Court of Claims, comes another Washington report saying that ADDISON SMITH, Idaho Cogressman and present chairman of the House Committee on Irrigation and Reclamation, will presumably be promoted to chairmanship of the Committee on Public Lands, a post now held by Mr. SINNOTT, and that Congressman LEATHERWOOD, of Utah, will then become chairman of the House Committee on Irrigation and Reclamation. LEATHERWOOD is classed as opposed to the Boulder Canyon project, and most of those opposing that project, though not all of them, also oppose the Oregon project. If we secure a House chairman who does not favor Government-power projects it will not help the cause. The Senate committee chairman, Senator PHIPPS, of Colorado, is an anti, though that fact did not prevent a favorable report by the Senate committee.

* * * When the important Federal water power act was passed by Congress during the Wilson administration Mr. SINNOTT had a part in writing that measure, and what he did was conducive to the public good, but was not agreeable to the power interests. It may therefore be surmised that those people will be pleased with Mr. SINNOTT'S promotion.

If we are to have Federal power development on the Columbia River, we need a good man to succeed NICK SINNOTT, and it will be well to look closely into the ability, character, and sincerity of the men who seek this position. May the good Lord help us.

[From the Enterprise Chieftain]

NICK SINNOTT MADE UNITED STATES JUDGE

With mingled feelings of pleasure and regret residents of the valley learned last night that Representative N. J. SINNOTT had been appointed by President Coolidge to be a judge on the United States Court of Claims. This is a life appointment and the position is one of high responsibility and honor. It will mean that the eastern Oregon district will lose a Representative who has served eight terms, or 16 years, and has so won the confidence of the people that usually he has had no opposition at the polls.

The choice of a successor to Mr. SINNOTT is a matter of much concern to the district and interest to the many aspirants to his seat. It is not known whether he will resign at once. If he does, a successor will have to be named at once, or the State will be without one Representative in the remaining weeks of the present Congress.

Mr. SINNOTT has filed for nomination for reelection, but his present term includes the short term of Congress which opens next December. His successor presumably must be chosen before that.

In every county of the eastern Oregon district are men who aspire to the office and there will be keen competition for it. If the field were open for the primary, a dozen candidates would have their names on the ballot.

[From the Albany Democrat]

Oregon will lose a faithful, loyal, and energetic champion when Congressman NICK SINNOTT, of the second district, completes his term of office and climbs onto the Court of Claims bench. SINNOTT has been at Washington for many years and he has attained a position of influence which his successor can attain only by long service and intrinsic merit.

[From the Baker Herald]

SINNOTT'S GAIN EASTERN OREGON'S LOSS

Representative SINNOTT'S host of friends in eastern Oregon are pleased to see him receive an appointment to the Federal bench from President Coolidge, for it is a deserved recognition of a loyal public servant. Nor can one blame Mr. SINNOTT for aspiring to a well-paid Federal judgeship for life, with no campaigns to go through and none of the unpleasantness of congressional politics. Eastern Oregon has lost an excellent Congressman, though it has been honored by having one of its citizens elevated to so high a place in the National Government.

[From the Hood River News]

SINNOTT APPOINTED TO CLAIMS COURT

With the appointment by President Coolidge of Congressman SINNOTT to be justice of the Federal Court of Claims the Representative of this district will assume a post that will pay him $12,500 a year for life. The entire mid-Columbia will congratulate NICK SINNOTT on his good fortune and the President on his good judgment. But at the same time there will be many regrets that so capable a Congressman as NICK SINNOTT has proved to be will no longer look after the interests at Washington of eastern Oregon.

There is every indication that the nomination of a successor to Representative SINNOTT will require the writing into the ballots of the name of one or more candidates, for nobody has filed to contest Mr. SINNOTT'S post as Congressman.

Mr. SINNOTT, as befits a man of his caliber, has held and still holds many important posts in various congressional committees, and has been chairman of the Public Lands Committee for the past nine years. It is conceded that during his term of office he has been more active than any other Member of Congress.

The appointment was urged by Senator MCNARY, and it is significant that, while the President has vetoed the McNary-Haugen bill, he has maintained good relations with the Oregon Senator.

[From the Baker Democrat]

AN APPOINTMENT FOR LIFE

While congratulating him on his good fortune in receiving the appointment at the hands of the President as a member of the United States Court of Claims, it is to be regretted on the part of the people of eastern Oregon that Congressman SINNOTT should be taken from the position he has so ably filled since 1913 and in which there was no likelihood of his being unseated.

The appointment of Congressman SINNOTT will leave the second district open for the voters to select his successor, and, no doubt, there well be many aspirants for the place.

Congressman SINNOTT throughout his long service was a faithful and able Representative of the people of Oregon, and at the National Capital he ranked among the most brilliant of lawmakers and a man of sturdy honor and integrity.

[From the Astoria Budget]

OREGON LOSES

In the retirement of NICK SINNOTT from Congress, through his appointment to the bench of the United States Court of Claims, Oregon is losing one of the most valuable servants she has ever had at Washington.

As Representative of the eastern Oregon district for the past 16 years, he has proved a most efficient worker for the interests of that district, and his efforts have not been confined to the service of his own particular section. He has been active and effective in behalf of the whole State. As chairman of the Public Lands Committee he had a post of much importance to Oregon, and his retirement is a heavy loss.

While no one will begrudge him the good fortune which has befallen him and which he deserves, there will be general regret that his State must be deprived of the service of such an able and experienced Congressman.

[From the Oregon City Enterprise]

AN ABLE MAN

Appointment by the President of Congressman SINNOTT, of Oregon, to a place on the Federal Court of Claims is fitting recognition of a man who has served his State faithfully and capably for a long period. Mr. SINNOTT'S oratorical ability won for him recognition in his own State, where he was a successful lawyer, and his knowledge of the important affairs of his own district brought him the ultimate chairmanship of the House Committee on the Public Lands. Until very recently he was the only Oregon Representative at the National Capital to head a committee. His grasp of irrigation and land problems is unusual, his explanations in committee tended to clarify the subjects that he discussed, and his presentations on the floor were admirable. While we congratulate Mr. SINNOTT upon attaining an ambition, we regret that the second district will lose an able and useful Congressman.

The retirement of Congressman SINNOTT will leave only one Oregon veteran in the House of Representatives. When Clifton McArthur was a Member of Congress, this State had an exceptionally strong triumvirate. SINNOTT and HAWLEY remained to carry the prestige of the delegation, and now the first district Member is left alone with two inexperienced colleagues, one from Multnomah and the other to be chosen as Mr. SINNOTT'S successor east of the Cascades. There are, in eastern and central Oregon, a number of good men who could possibly qualify, but whoever is selected will not be able to reach the high mark of service set by SINNOTT until after several sessions at Washington. Green Congressmen, as a general rule, do not impress that unwieldy body of legislators and obtain little recognition at the start. Important committee assignments are eagerly sought, as most of the work of the House is done within committees before measures reach the floor. Otherwise very little legislative business would be accomplished.

Oregon has not made the mistake of swapping horses but has retained in the first and second districts its veterans who long ago weathered the storm that runs along with the period of absorption. During the Ku-Klux Klan fever, bitter and well-organized attacked were made upon Mr. SINNOTT, but he was too well intrenched in public favor and held his place by general acknowledgment of sheer merit. He pursued the even tenor of his way, giving fair treatment to friends and foes alike and obtaining the approval of a decisive majority of his constituents who were sold on his familiarity with the problems of his district and the issues affecting the entire group of Western States. Religious intolerance drove many a qualified statesman to an early political grave, but NICK SINNOTT'S position was impregnable.

[From the Bend Bulletin]

A SPLENDID RECORD

The announcement received last week of the appointment of N. J. SINNOTT removing him from the seat in Congress which has been his for so many years has produced, as its first effect, a free-for-all entry of candidates and an attendant guessing contest as to who will be his successor. It is a tribute to the general regard in which Mr. SINNOTT is held, as a man and a legislator, to note that until the appointment was made known none of these candidacies had a place in the political program of eastern Oregon.

But while interest now centers to a large extent on the question of who will be the next Congressman from the second district, this is tempered to a considerable extent by a feeling of real loss. Mr. SINNOTT'S friends—and their name is legion—will congratulate him on his deserved promotion, but at the same time they will realize that the district has lost greatly by the change. As time goes by the extent of this loss will become more and more apparent.

It is unnecessary to comment on Mr. SINNOTT'S ability. It might be pertinent, however, to mention that his effective ability has been increased from year to year as he became a veteran among the Nation's lawmakers and as he labored conscientiously and unceasingly to represent the people of eastern Oregon.

Congressman SINNOTT has been a champion of irrigation. His work in behalf of the Deschutes project is well known, and much of the progress made in the movement for reclamation in central Oregon should be credited to him. His leadership and knowledge was recognized when he was made chairman of the Public Lands Committee, and his position in his party was given splendid acknowledgment when he was made chairman of the steering committee.

It will require a man of unusual ability adequately to replace Congressman SINNOTT, and it will take years of experience at Washington before his successor will have acquired the standing and influence in both Houses, so greatly to the benefit of Oregon, which Congressman SINNOTT has earned.

[From the Lakeview Examiner]

Oregon's loss in the appointment of NICK SINNOTT to the claims bench is the Nation's gain. Let us therefore rejoice with NICK and be grateful for the years of faithful service he has given us.

[From the Hood River News]

OUR LOSS IS GREAT

NICK SINNOTT has come to the end of his years of stewardship for the people of eastern Oregon and will shortly take up his new duties in the Court of Claims. While everyone in the Columbia River region will regret that he will no longer be the guardian of the interests of eastern Oregon in Congress, all will be glad to learn that his new post will lessen his burden of work and at the same time will enhance his financial status. For it is no secret that NICK SINNOTT is a poor man financially, though rich in the esteem in which he is held by people of the Columbia River region. There are few men in public life who, if called upon to give an accounting of their stewardship, could make a better showing than Mr. SINNOTT, and his constituents will wish him every success in his new line of endeavor.

[From the La Grande News]

Congressman SINNOTT'S appointment to the Federal Court of Claims has injected some real pep into the coming election campaign. So long as NICK was in the field there seemed to be no inspiration for congressionally inclined statesmen to respond to their country's call and enter the lists against him, but now that he has been promoted there are many who expose a desire to go to Washington and take up the burden of government. NICK made a good Congressman and his appointment to a life position on the Federal bench is a just and fitting reward for service well rendered.

[From the Hood River Glacier]

N. J. SINNOTT

The friends and constituents of Hon. N. J. SINNOTT in Hood River County are pleased to learn of his advancement to the Federal Court of Claims. They know that he will make a capable member of that court. But the folk of eastern Oregon are exceedingly sorry to give up Mr. SINNOTT as their Representative in Congress.

Mr. SINNOTT has represented the eastern Oregon congressional district—which, by the way, is the largest in area in the United States—for 16 years. No district has had better representation. Mr. SINNOTT has not participated in any grandstanding or sensational outbursts, but he has been at work constantly for his constituency and for the Government at large. He has attracted nation-wide attention because of his application to the task and the sane way in which he has gone about the problems that confront Congressmen. Mr. SINNOTT has been on the job all of the time while in Washington. We learn that none of his fellow-Representatives get to their offices earlier than he. And when he is back in his home country he spends most of the time traveling over the district studying the problems of the citizens.

NICK SINNOTT, because of his native ability and his diligence in gaining an understanding of the great volume of problems that are presented to a national legislator, has arisen to a front rank in Congress. He has been recognized as a leader, one who was outstanding, and his committee appointments meant much to his State.

If we can secure the election of a man who can take up the work he will lay down at the National Capital, we will be fortunate, indeed.

[From the Madras Pioneer]

N. J. SINNOTT RESIGNS

The resignation of NICHOLAS J. SINNOTT as United States Representative from the second congressional district, has been received by his

friends, countless in number, with both regret and pleasure—regret at the loss of one whose ability and keen knowledge of affairs has made him a real power as champion for this remote section in the legislative halls of the Nation, and pleasure that this very ability, which has made Mr. SINNOTT one to be reckoned with among his peers, has been given recognition in the high position to which he has been recently raised.

The political situation created by the resignation of the veteran lawmaker on the very eve of the primary election forces an interesting and complicated political situation. There are several political aspirants willing to serve in the capacity of United States Representative from the second district of Oregon. That any one of these men, however capable, can fill this position as did Mr. SINNOTT, is impossible. Whoever is the successor of the Representative from eastern Oregon must acquire years of experience and as well posssess a rare character and inborn power to hope to fill in any wise the vacancy created.

Congressman SINNOTT has been a sturdy champion for reclamation of our arid lands and has always backed up the cause of irrigation for this section. The choice of the man to succeed to the position of United States Representative should be carefully made.

[From the Ontario Argus]

"WE ARE GLAD FOR NICK"

No part of eastern Oregon appreciates to a greater degree than does Malheur County the work of N. J. SINNOTT during his long tenure as Representative from the second district. Here in this county is to be built the greatest monument to his service and that of Senator CHARLES L. MCNARY.

That it was the persistent and effective advocacy of irrigation in this section which these two men carried on which brought to a realization the dreams of the people of this section is beyond dispute.

There was one way in which that appreciation could have found tangible expression. That was in voting to return them to office. For Mr. SINNOTT that method has been taken from us with his elevation to the Court of Claims. But there remains another way, that of rejoicing with him that his worth has found a wider recognition; that his ambition has been realized. It would be selfish not to accord him our wholehearted congratulations and to wish for him long years of usefulness in his new sphere. While there have been many expressions of regret at the passing of Mr. SINNOTT from the legislative halls, these very expressions are a tribute to him, and the full measure of friendship he enjoys in this section has been shown by the oft-repeated statement, "but I am glad for NICK," accompanying the regret at his loss to the district. That is just how the Argus feels about it. "We are glad for NICK.'

[From the Woodburn Independent]

NICK SINNOTT has made a good Congressman. His political enemies can say so now, as he will not again be a candidate, having been appointed judge of the United States Court of Claims. About a hundred Republicans would like to succeed him as a Member of the House.

[From the Dufur Despatch]

N. J. SINNOTT RECEIVES APPOINTMENT TO UNITED STATES JUDGESHIP

Republicans and Democrats of Dufur look alike with mingled pride and regret on the appointment of Hon. N. J. SINNOTT to a lifetime job as justice of the United States Court of Claims. Practically unopposed in his district for the last decade, Mr. SINNOTT has served the State of Oregon in a manner that eliminated partisan lines and met with unquestionable approval, as evidenced by the support accorded him at the polls term after term. He had risen to be a power in the National Capital, and while his constituents share with him the honor and good fortune which goes with his recent appointment, they can not help but feel a personal loss as he relinquishes his place to some unproven and as yet unchosen successor.

With NICK SINNOTT a candidate for Congressman from the second district, balloting for this particular office was a mere formality. His support was equally strong from Republicans and Democrats. But with Mr. SINNOTT out of the running a vastly different situation exists. At least half a dozen Republican favorite sons aspire to the vacancy, and the Democrats have no intentions to let the office go without a contest.

Unfortunately—for the embryo candidates—announcement of Mr. SINNOTT'S appointment came before the date of the primaries, thereby necessitating the writing in of contesting candidates instead of selection by the congressional committee. It has been said that Mr. SINNOTT was asked to withhold his withdrawal from the filings until after the primaries in order to avoid the Republicans the embarrassment of a primary contest, but to his credit he refused to do so. * * *

[From the Blue Mountain Eagle]

There should have been a referendum invoked against Congressman SINNOTT when he resigned and accepted a high judicial place in Washington as a reward of merit from President Coolidge. NICK SINNOTT should have been sentenced to life in Congress for the simple reason that everyone in his vast district knew him, liked him, respected him, and worked him. Private business never lets that kind of a man go, for they double his salary or let him make his own terms. Too bad public affairs can not be handled in some similar way. NICK knew his district, his people, their desires and their needs, and he knew Washington and Congress, and they knew him and recognized him as one of the leaders of the House. And in the common phrase of the street, "How did he get that way." He got that way by hard work, honest dealing, good solid judgment, and a sympathetic feeling and consideration for all. The people of Grant County know that they lost a real friend in Congress when President Coolidge took him away from us and elevated him to the Court of Claims.

[From the Hillsboro Independent]

No greater compliment could have been paid ex-Congressman SINNOTT of the second district than the multitude of candidates to succeed him who have appeared since his resignation, not one of whom but would have faced certain defeat by opposing him.

[From the Hood River News]

If somebody had only known that NICK SINNOTT was going to the Court of Claims there would have been a snap at the primaries. But opposition to NICK has reached the vanishing point.

[From the Arlington Bulletin]

NICK SINNOTT'S PROMOTION

NICK SINNOTT, who has intelligently and faithfully represented this State in Congress for a number of years, recently was offered a lifetime appointment by the President on the Court of Claims at a salary of $12,500, and the eastern Oregon Congressman can not be blamed for accepting it. We say this not for the reason that NICK need not have any fear of losing the job that he now holds, for he will be a Member of Congress from this State just so long as he desires to have his name placed on the ballot, but it is generally known that he has desired a judicial position, and now that he has a chance to achieve that ambition he is to be congratulated.

Taking into consideration the welfare of eastern Oregon it is not good news. Mr. SINNOTT has accomplished a good deal for the district he represents, and in our opinion it will be hard to find a man to take his place who will be able to duplicate his achievements. NICK was always on the job, and no matter what happened you could depend on him to go to the bat and fight to the last ditch for those things which he believed would help and promote the progress of eastern Oregon. Sometimes the things Congressman SINNOTT was asked to give his attention to seemed of no great importance, and if the relief prayed for was granted would only benefit some individual who was justly entitled to the things that he requested, but all looked alike to NICK and his difficulty was given the same consideration and personal attention as if it had been a matter in which a number of voters had been concerned. Let it be truthfully said of him that he never sacrificed his duty for personal gain.

Yes; the State of Oregon will sustain a great loss in the retirement of NICK, but all of his constituents are glad to know that he has a chance to realize an ambition he has fostered for years.

[From the Nyssa Journal]

GOOD AND BAD

The President has offered Congressman SINNOTT a lifetime appointment on the Court of Claims at a salary of $12,500 a year, and the eastern Oregon Congressman can not be blamed for accepting it. It is known that he desired a judicial position and he is to be congratulated upon achieving that ambition.

It is not good news for Oregon, however. As a member of the Irrigation Committee and as a member of the House steering committee, he has been in a position to do effective work and has accomplished a great deal for Oregon.

The people of Malheur County give him a large share of the credit for finally securing development of the great Vale and Owyhee projects that are now under construction to bring development and wealth to a vast area in our vicinity.

It will be a hard task for Oregon to find a man with the ability, character, and sincerity of NICK SINNOTT.

[From the Klamath News]

"JUDGE" SINNOTT

NICK SINNOTT has been appointed to a judgeship on the Court of Claims by President Coolidge.

We congratulate Congressman SINNOTT on this signal honor which has been bestowed upon him, and in the same breath we express deep regret that he will be compelled to vacate the seat in Congress he has so long and ably held.

For many years NICK SINNOTT has represented the great eastern Oregon district in Congress—the second district. He has been an

able Congressman, a splendid worker, and a staunch friend of the West. His chairmanship of the Public Lands Committee shows how highly he was thought of in Washington, and at home NICK SINNOTT is much beloved.

Now, that he has gone on the bench leaving his old congressional post it is interesting to recall NICK'S first campaign in this district. He was running against Congressman Ellis for the Republican nomination. In those days transportation was slow and when NICK muddled through much of the interior country he had plenty of time to think things over. He was young and the man he opposed was well entrenched. When he got down to Klamath Falls he was much disheartened, for he could not see how he could win. In those days Klamath was isolated and few candidates for State and district offices got into this section. Congressman Ellis was unknown here and in Lake County, so NICK came in to shake hands with the boys. To his surprise the Klamath County Republicans held a big dinner for him and sent him on his way with a determination to win. He has often said that the dinner given him is what put the fight back into him and caused him to work harder and finally win the primary nomination. Since that visit he has been a loyal friend of Klamath and Lake Counties.

[From the Weston Leader]

NICK SINNOTT

When Congress adjourns at the end of this week Representative N. J. SINNOTT will resign in order to assume his new position as judge of the United States Court of Claims. It is inadequate to say that Oregon—and especially the second district—will have lost a very able, willing, intelligent, faithful, conscientious, and industrious servant. These are mere words and do scant justice to NICK'S real worth to the Commonwealth and the Nation during his 15 years of service in Congress and 9 years as chairman of the Public Lands Committee. But it is the only tribute we know how to pay, and NICK will know that it is sincere. Moreover, he not only ranks high in the qualities that make for true statesmanship but is a kindly, urbane, and accomodating man. Hundreds of his individual constituents are in a position to testify as to the trouble he has taken in their behalf when some matter requiring attention came up at Washington. He could never have been beaten by Democrat or Republican. Only death, voluntary retirement, or the important appointment he has deservedly received from President Coolidge could have kept NICK SINNOTT out of Congress. And now he will wear the ermine worthily. We congratulate him, but not without regret that he is lost to Oregon from the halls of the solons.

[From the Baker Herald]

It didn't take the Senate long to ratify the nomination of NICK SINNOTT as Federal judge. The speed with which confirmation was secured is a nice tribute to the esteem in which the Oregon man is held by his colleagues at Washington.

[From the Bend Bulletin]

No one has yet said anything, we think, about a man who is probably as much concerned as anyone else in the elevation of NICK SINNOTT from the House of Representatives to a judicial position in Washington. This man is Ned Baldwin, NICK'S secretary for years. Ned first went to Washington as secretary to Congressman Ellis in 1907, and except, as we remember, for only one short interval he has as secretary to the Congressman from this district been giving to the people of the district a real and important service.

The results achieved by a Congressman in Washington are not altogether his own. Intelligent and efficient aid on the part of a faithful secretary goes far toward the sum total of results achieved. Ned Baldwin has been that kind of secretary for NICK SINNOTT. If the district loses his services along with NICK'S, it will be very unfortunate.

SENATE BILLS AND JOINT RESOLUTION REFERRED

Bills and a joint resolution of the following titles were taken from the Speaker's table and, under the rule, referred to the appropriate committees, as follows:

S. 1547. An act for the relief of Johns-Manville Corporation; to the Committee on Claims.

S. 1794. An act establishing additional land offices in the States of Montana, Oregon, South Dakota, Idaho, New Mexico, Colorado, and Nevada; to the Committee on Public Lands.

S. 1831. An act to authorize the President to class as secret certain material, apparatus, or equipment for military and naval use, and for other purposes; to the Committee on Military Affairs.

S. 1958. An act for the relief of William J. Cocke; to the Committee on Claims.

S. 2360. An act to amend section 1 of the act of Congress of March 3, 1921 (41 Stats. L. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906," entitled "An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes"; to the Committee on Indian Affairs.

S. 2462. An act for the relief of John F. Walker; to the Committee on Military Affairs.

S. 2505. An act granting increase of pensions under the general law to soldiers and sailors of the Regular Army and Navy and their dependents, for disability incurred in service in line of duty, and authorizing that the records of the War and Navy Departments be accepted as to incurrence of a disability in service in line of duty; to the Committee on Pensions.

S. 2989. An act for the relief of John B. Moss; to the Committee on Claims.

S. 3136. An act creating the Roswell land district, establishing a land office at Roswell, N. Mex., and for other purposes; to the Committee on Public Lands.

S. 3258. An act to amend section 300 of the World War veterans' act, 1924, as amended; to the Committee on World War Veterans' Legislation.

S. 3484. An act for the conservation of rainfall in the United States; to the Committee on Agriculture.

S. 3569. An act to equalize the pay of certain classes of officers of the Regular Army; to the Committee on Military Affairs.

S. 3637. An act to provide Federal cooperation with the States in devising means to protect valuable shore lands from damaging erosions, and for other purposes; to the Committee on Rivers and Harbors.

S. 3736. An act for the relief of soldiers who were discharged from the Army during the World War because of misrepresentation of age; to the Committee on Military Affairs.

S. 4222. An act to authorize the creation of Indian trust estates, and for other purposes; to the Committee on Indian Affairs.

S. 4385. An act to establish the Teton National Park in the State of South Dakota, and for other purposes; to the Committee on Public Lands.

S. J. Res. 80. Joint resolution authorizing an appropriation for bank protection for the control of floods and the prevention of erosion of the Missouri River at and near the town of Niobrara, in the State of Nebraska; to the Committee on Flood Control.

S. J. Res. 91. Joint resolution authorizing an appropriation for bank protection for the control of floods and the prevention of erosion of the Missouri River at or near the town of Yankton in the State of South Dakota; to the Committee on Flood Control.

ENROLLED BILLS SIGNED

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11134. An act to authorize appropriations for construction at military posts, and for other purposes; and

H. R. 12381. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

The Speaker announced his signature to enrolled bills of the Senate of the following titles:

S. 1822. An act to authorize the Secretary of War to transfer or loan aeronautical equipment to museums and educational institutions;

S. 2535. An act granting to the State of New Mexico certain lands for reimbursement of the counties of Grant, Luna, Hidalgo, and Santa Fe for interest paid on railroad-aid bonds, and for the payment of the principal of railroad-aid bonds issued by the town of Silver City, and to reimburse said town for interest paid on said bonds, and for other purposes;

S. 3593. An act to authorize the leasing or sale of lands reserved for agency, schools, and other purposes on the Fort Peck Indian Reservation, Montana;

S. 3620. An act granting certain land to the congregation of St. Joseph's Roman Catholic Church in the parish of East Baton Rouge, La.;

S. 3808. An act to authorize the construction of a temporary railroad bridge across Bogue Chitto River at or near a point in township 5 south, range 13 east, St. Helena meridian, St. Tammany Parish, La.;

S. 4450. An act authorizing the Ripley Bridge Co., its successors and assigns, to construct, maintain, and operate a bridge across the Ohio River at or near Ripley, Ohio;

S. 4456. An act granting the consent of Congress to the boards of county commissioners of the counties of Escambia and Santa Rosa, in the State of Florida, to construct, maintain, and operate a free bridge across Santa Rosa Sound in the State of Florida;

S. 4457. An act authorizing the Northwest Florida Corporation, its successors and assigns, to construct, maintain, and operate a bridge across Perdido Bay at or near Innerarity Point, in Escambia County, Fla., to the mainland of Baldwin County, Ala.;

S. 4474. An act authorizing the South Carolina and the Georgia State Highway Departments to construct, maintain, and operate a toll bridge across the Savannah River at or near Burtons Ferry, near Sylvania, Ga.; and

S. 4504. An act granting the consent of Congress to the State of Arkansas, through its State highway department, to construct, maintain, and operate a toll bridge across White River at or near Augusta, Ark.

BILLS AND JOINT RESOLUTIONS PRESENTED TO THE PRESIDENT

Mr. CAMPBELL, from the Committee on Enrolled Bills, reported that this day they presented to the President of the United States, for his approval, bills and joint resolutions of the House of the following titles:

H. R. 1406. An act granting six months' pay to Lucy B. Knox;

H. R. 1616. An act for the relief of Carl C. Back;

H. R. 1931. An act for the relief of Daniel Mangan;

H. R. 1951. An act granting six months' pay to Frank A. Grab;

H. R. 2272. An act for the relief of William Morin;

H. R. 2472. An act for the relief of Emile Genireux;

H. R. 2477. An act for the relief of Joseph S. Carroll;

H. R. 2494. An act granting six months' pay to Vincentia V. Irwin;

H. R. 2657. An act for the relief of Thomas Huggins;

H. R. 3971. An act for the relief of the owners of the schooner *William Melbourne;*

H. R. 4652. An act for the relief of Charlie R. Pate;

H. R. 4926. An act for the relief of the Pocahontas Fuel Co. (Inc.);

H. R. 4954. An act for the relief of Thomas Purdell;

H. R. 5897. An act for the relief of Mary McCormick.

H. R. 5910. An act for the relief of Ralph Ole Wright and Varina Belle Wright;

H. R. 6049. An act to amend an act to authorize the Secretary of War and the Secretary of the Navy to make certain disposition of condemned ordnance, guns, projectiles, and other condemned material in their respective departments;

H. R. 6908. An act for the relief of Michael Ilitz;

H. R. 11978. An act granting six months' pay to Alexander Gingras, father of Louis W. Gingras, deceased private, United States Marine Corps, in active service;

H. R. 13481. An act granting the consent of Congress to the Alabama State Bridge Corporation to construct, maintain, and operate bridges across the Tennessee, Tombigbee, Warrior, Alabama, and Coosa Rivers, within the State of Alabama;

H. R. 7268. An act for the relief of John Hervey;

H. R. 7708. An act for the relief of John M. Brown;

H. R. 8742. An act to authorize the Secretary of War to convey to the city of Baton Rouge, La., a portion of the Baton Rouge National Cemetery for use as a public street;

H. R. 9380. An act for the relief of Frank E. Shults;

H. R. 10649. An act providing for the transfer of a portion of the military reservation known as Camp Sherman, Ohio, to the Department of Justice;

H. R. 10702. An act for the relief of Elbert L. Cox;

H. R. 11471. An act extending the time of construction payments on the Rio Grande Federal irrigation project, New Mexico-Texas;

H. R. 11917. An act granting the consent of Congress to the county of Cook, State of Illinois, to widen, maintain, and operate the existing bridge across the Little Calumet River in Cook County, State of Illinois;

H. R. 11950. An act to legalize a pier and wharf in Deer Island thoroughfare on the northerly side at the southeast end of Buckmaster Neck at the town of Stonington, Me.;

H. R. 11980. An act granting the consent of Congress to the Fisher Lumber Corporation to construct, maintain, and operate a railroad bridge across the Tensas River in Louisiana;

H. R. 12038. An act to authorize the acquisition of certain patented land adjoining the Yosemite National Park boundary by exchange, and for other purposes;

H. R. 12031. An act to extend the times for commencing and completing the construction of a bridge across the Rio Grande River at or near a point 2 miles south of the town of Tornillo, Tex.;

H. R. 12063. An act for the relief of the widow of Surg. Mervin W. Glover, United States Public Health Service, deceased;

H. R. 12100. An act to amend the act entitled "An act granting the consent of Congress to the Gateway Bridge Co. for the construction of a bridge across the Rio Grande between Brownsville, Tex., and Matamoros, Mexico," approved February 26, 1926;

H. R. 12235. An act authorizing B. F. Peek, G. A. Shallberg, and C. I. Josephson, of Moline, Ill.; J. W. Bettendorf, A. J. Russell, and J. L. Hecht, of Bettendorf and Davenport, Iowa, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Tenth Street in Bettendorf, State of Iowa;

H. R. 12571. An act granting the consent of Congress to the State Highway Commission, Commonwealth of Kentucky, to construct, maintain, and operate a toll bridge across the Cumberland River at or near Iuka, Ky.;

H. R. 12623. An act granting the consent of Congress to the Louisiana Highway Commission to construct, maintain, and operate a free highway bridge across the Sabine River at or near Starks, La.;

H. R. 12624. An act to amend section 17 of the act of June 10, 1922, entitled "An act to readjust the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended;

H. R. 12694. An act authorizing the Secretary of the Navy to provide an escort for the bodies of deceased officers, enlisted men, and nurses;

H. R. 12706. An act for the relief of the town of Springdale, Utah;

H. R. 12806. An act authorizing J. H. Harvell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across New River at or near McCreery, Raleigh County, W. Va.;

H. R. 12894. An act to extend the times for commencing and completing the construction of an overhead viaduct across the Mahoning River at or near Niles, Ohio;

H. R. 12913. An act to extend the times for commencing and completing the construction of a bridge across the Allegheny River at or near the borough of Eldred, McKean County, Pa.;

H. R. 12953. An act to authorize the Board of Managers of the National Home for Disabled Volunteer Soldiers to accept title to the State camp for veterans at Bath, N. Y.;

H. R. 13069. An act granting the consent of Congress to the State of Minnesota to construct, maintain, and operate a free highway bridge across the Mississippi River at or near Aitkin, Minn.;

H. R. 13141. An act authorizing T. S. Hassell, his heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Tennessee River at or near Clifton, Wayne County, Tenn.;

H. R. 13143. An act to adjust the compensation of certain employees in the Customs Service.

H. R. 13380. An act authorizing D. T. Hargraves and John W. Dulaney, their heirs, legal representatives, and assigns, to construct, maintain, and operate a bridge across the Mississippi River at or near Helena, Ark.

H. J. Res. 47. A resolution for the relief of Mary M. Tilghman, former widow of Sergt. Frederick Coleman, deceased, United States Marine Corps.

H. J. Res. 77. A resolution concerning lands and property devised to the Government of the United States of America by Wesley Jordan, deceased, late of the township of Richland, county of Fairfield, and State of Ohio;

H. J. Res. 292. A resolution authorizing the President to invite the States of the Union and foreign countries to participate in the International Petroleum Exposition at Tulsa, Okla., to begin October 20, 1928;

H. R. 11134. An act to authorize appropriations for construction at military posts, and for other purposes; and

H. R. 12381. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy, etc., and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

RECESS

Mr. TILSON. Mr. Speaker, I move that the House take a recess until 8 o'clock to-night, in accordance with the previous order of the House.

The motion was agreed to; accordingly (at 5 o'clock and 59 minutes p. m.) the House stood in recess until 8 o'clock p. m.

EVENING SESSION

The recess having expired, the House met at 8 o'clock p. m.

PRIVATE CALENDAR

The SPEAKER pro tempore (Mr. SNELL). The Clerk will call the bills on the Private Calendar, beginning at the double star.

NEAR EAST RELIEF (INC.)

Mr. FISH. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from New York rise?

Mr. FISH. Mr. Speaker, I rise to ask unanimous consent to turn back to the bill (S. 1287), Calendar No. 322, an act for the relief of the Near East Relief (Inc.), which was objected to before by three objectors. Two of them have withdrawn their objections, one of them is here, and I think we may reach an understanding immediately, if there is no objection to returning to the bill on the part of the House.

Mr. HOWARD of Nebraska. Mr. Speaker, reserving the right to object, I have been here quite a number of years and this is the first bill against which I have ever filed any objection. I think I have killed this bill six or seven times. Mr. Speaker, I will not object to the bill if I can get the gentleman from New York to make a positive statement to me in the name of the officers of this corporation, namely, that they will never go out among the charitable people of the United States and collect any more funds for this corporation.

Mr. FISH. Mr. Speaker, I have asked the head of the organization, and he has informed me they propose to wind up all the affairs of the Near East Relief (Inc.), and not to solicit any more charity. This is the statement made to me. I am not a member of the organization. I have no constituents interested in it. I am here because I think this old debt ought to be settled during this Congress. It has been pending here a great many years. All I can say to the gentleman is that this is the statement made to me—that they are winding up all their affairs, and they are not going to solicit any money.

Mr. HOWARD of Nebraska. And after to-night there will be no more Near East drives in the United States?

Mr. FISH. That is what I understand.

Mr. HOWARD of Nebraska. Upon the statement of the gentleman from New York, Mr. Speaker, I will not object, but I want it to be distinctly understood that I am taking the gentleman's word for it as coming directly from the officers of this corporation.

Mr TILSON. Have the other two gentlemen withdrawn their objections?

Mr. FISH. They have withdrawn their objections.

Mr. CLARKE. Mr. Speaker, reserving the right to object, I would like a little further explanation of the proposition than the gentleman has given.

Mr. FISH. I did not want to take too much of the time of the House.

Mr. CLARKE. I wanted to see how well the gentleman is posted on the proposition.

Mr. FISH. My colleague from New York probably knows as much about this matter as I do. The bill involves some $360,000 which the Near East took in the way of clothes and shoes to use in an emergency in the Near East to aid the Christian people getting out of there when they were being driven all over Asia Minor by the Turks.

Mr. CLARKE. Under my reservation of objection, Mr. Speaker, I want to interject this statement, if I may. The reason I appear on the scene is this. I have a case where Armenian citizens of the city of Binghampton had a boy and girl taken under the Near East and one of them admitted into an institution and the other one was disguised under another name. We have had the greatest difficulty in the world in getting the case reopened because of the inaccuracy of the records. We have had to appeal to the Secretary of State and the Assistant Secretary of State, who have been extremely kind about the matter; but here is a rank injustice to a father and mother who are being denied the right of having their own children simply because of the inaccurate records of the Near East. I think if we are going along on this proposition, the Near East at least ought to show a willingness to cooperate in correcting their records.

Mr. FISH. I will be glad to cooperate with the gentleman in having that done.

Mr. CLARKE. I withdraw my objection, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from New York.

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized and directed to cancel and abandon the claim in the sum of $632,669 with interest for United States property sold in 1919 to the Near East Relief (Inc.), for use in relieving and supplying the pressing needs of the peoples of the countries involved in the late war.

With the following committee amendment:

On line 8, after the word "war" insert a colon and the following proviso: "*Provided*, That the Near East Relief (Inc.) shall first cancel all claims of whatever kind and description the said Near East Relief (Inc.) now holds against the United States Government."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

Mr. WARREN. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. WARREN. Under the agreement we are beginning to-night at the double star and I would like to know if one objection is sufficient between the double star and the single star.

The SPEAKER pro tempore. We are proceeding by unanimous consent, and one objection is good against any of them.

Mr. WARREN. I just wished to have that understood. Heretofore it has taken three objections.

Mr. TILSON. It is by a special agreement when it takes three objections, and there is no such agreement at this time.

The SPEAKER pro tempore. If the Chair may be allowed to make a suggestion, we have a good many bills on the calendar, but if the House remains good natured and there are not too many reserving the right to object I think perhaps we can conclude the calling of the calendar before the evening is over.

JOHN GOLOMBIEWSKI

The next business on the Private Calendar was the bill (H. R. 7079) for the relief of John Golombiewski.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,000 to John Golombiewski, to compensate him for expenses incurred in the election contest, John W. Rainey against John Golombiewski, Sixty-seventh Congress.

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

A motion to reconsider was laid on the table.

WIDOW OF ALBERT F. SMITH

The next business on the Private Calendar was the bill (H. R. 9213) granting a relief to the widow of Albert F. Smith.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. ROWBOTTOM. I object.

GEORGE PETTIT

The next business on the Private Calendar was the bill (H. R. 9827) for the relief of George Pettit.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, George Pettit, who was a member of Company C, Fourth Regiment United States Infantry, Civil War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 30th day of June, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider was laid on the table.

JAMES SCOTT

The next business on the Private Calendar was the bill (H. R. 11216) for the relief of James Scott.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, James Scott, who was a member of Company G, Twelfth Regiment United States Infantry, and Company G, Ninth Invalid Corps, shall

hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 10th day of July, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

The title was amended.

A motion to reconsider was laid on the table.

LUCIUS K. OSTERHOUT

The next business on the Private Calendar was the bill (H. R. 9995) a bill for the relief of Lucius K. Osterhout.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws and laws conferring rights and privileges upon honorably discharged soldiers, their widows and dependent relatives, Lucius K. Osterhout, who served in Company A, First Regiment Michigan Volunteer Cavalry, shall be held and considered to have been honorably discharged from the military service of the United States as a member of said organization: *Provided*, That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

With the following committee amendment:

Line 9, after the word "organization," insert the words "on June 24, 1865."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

MICHAEL MARLEY

The next business on the Private Calendar was the bill (H. R. 5223) for the relief of Michael Marley.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights and privileges upon honorably discharged soldiers, the widows and dependent relatives, Michael Marley, late of Company D, Fifth Regiment United States Infantry, war with Spain, shall be held and considered to have been honorably discharged from the military service of the United States as a member of the above organization on the 13th day of November, 1902: *Provided*, That no pay, pension, bounty, or other emoluments shall accrue prior to the passage of this act.

With the following committee amendment:

Line 10, after the colon, strike out all of the proviso down to and including line 12 and insert in lieu thereof the following: "*Provided*, That no pension, back pay, bounty, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

WILLIE G. CHAPMAN

The next business on the Private Calendar was the bill (H. R. 9721) for the relief of Willie G. Chapman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WARREN. I object.

P. L. ANDREWS CORPORATION

The next business on the Private Calendar was the bill (S. 2644) to carry out the findings of the Court of Claims in the case of P. L. Andrews Corporation.

Mr. ROWBOTTOM. Mr. Speaker, I ask unanimous consent that this bill go over until later in the evening.

The SPEAKER pro tempore. Is there objection?

There was no objection.

KIRBY HOON

The next business on the Private Calendar was the bill (H. R. 11508) for the relief of Kirby Hoon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Kirby Hoon, postmaster at Helena, Mont., in the sum of $218.40, on account of a shortage of stamped envelopes.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

FRANK TOPPING AND OTHERS

The next business on the Private Calendar was the bill (S. 19) for the relief of Frank Topping and others.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, as follows, to wit: To Frank Topping, the sum of $372; to J. A. Garrett, the sum of $127.90; to Charles H. Lemon, the sum of $1,006.50; to Elmer B. Irvan, the sum of $121; to G. C. Rothwell, the sum of $1,240; to E. L. Brown, the sum of $492.60; to Robert White, the sum of $228; to Charles L. Shirar, the sum of $332.50; to A. E. Welsh, the sum of $421.80; said sum representing losses and damages sustained by above-named individuals as a result of the flood gates in Haskell Institute's drainage ditch not being closed during the high water in the Wakarusa River during the years 1921 and 1922.

Mr. WARREN. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. WARREN: Insert a semicolon at the end of section 1 on page 2, and add the following: *Provided*, That the amount herein authorized shall constitute full settlement of said claims against the Government.

The amendment was agreed to and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

STEAM TUG "W. S. HOLBROOK"

The next business on the Private Calendar was the bill (S. 2516) for the relief of the owners and/or receiver of the American steam tug *W. S. Holbrook*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the owners of the American steam tug *W. S. Holbrook*, and/or the receiver of said property, against the United States of America for damages alleged to have been caused by collision between said vessel and the United States Navy steam tug *Pentucket* on or about the 1st day of November, 1917, at the navy yard, Brooklyn, N. Y., may be sued for by the said owners and/or receiver in the District Court of the United States for the Eastern District of New York sitting as a court of admiralty and acting under the rules governing such court; and said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owners of the said American steam tug *W. S. Holbrook* and/or receiver aforesaid, or against the owners of said American steam tug *W. S. Holbrook* and/or receiver of said vessel in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

COAST TRANSIT DIVISION BARGE "NO. 4"

The next business on the Private Calendar was the bill (S. 2586) for the relief of the owner of the Coast Transit Division barge *No. 4*.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the owner of the Coast Transit Division barge *No. 4* against the United States of America for damages and loss alleged to have been caused by collision between said barge and the U. S. S. *Bali* on or about the 17th day of April, 1919, near Pennsylvania Railroad Pier F, Jersey City, N. J., may be sued for by the said owner in the District Court of the United States for the Southern District of New York, sitting as a court of admiralty, and acting under the rules governing such court; and the said court shall have jurisdiction to hear and determine such suit and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the owner of the said Coast Transit Division barge *No. 4* or against the owner of the said Coast Transit Division barge *No. 4* in favor of the United States, upon the same principles and same measures of liability as in like cases in admiralty between private parties, and with the same rights of appeal: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within four months of the date of the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

MICHAEL J. BAUMAN

The next business on the Private Calendar was the bill (H. R. 2817) for the relief of Michael J. Bauman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $3,935.99 to Michael J. Bauman for extra work and material furnished in connection with contracts for repairs and alterations in U. S. S. *Sturgeon Bay* at Buffalo, N. Y.

With the following committee amendment:

Line 5, after the word "appropriated" insert "and in full settlement against the Government."

The committee amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ROSS F. COLLINS

The next business on the Private Calendar was the bill (H. R. 3221) for the relief of Ross F. Collins.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the President of the United States is hereby authorized to appoint, by and with the advice and consent of the Senate, Ross F. Collins, now a lieutenant, United States Naval Reserve, a lieutenant commander, United States Naval Reserve, to rank next after Julian L. Woodruff, United States Naval Reserve, and to make an extra number in that grade.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE JOSEPH BOYDELL

The next business of the Private Calendar was the bill (H. R. 5948) for the relief of George Joseph Boydell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged sailors, George Joseph Boydell, who served as an enlisted man in the United States Navy, shall hereafter be held and considered to have been discharged honorably from the naval service of the United States as an enlisted man in the United States Navy.

With the following committee amendment:

Page 1, line 9, after the word "Navy" insert: *"Provided*, That no back pay, allowances, or emoluments of any kind shall accrue because of the passage of this act."

The amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

P. L. ANDREWS CORPORATION

Mr. ROWBOTTOM. Mr. Speaker, I ask unanimous consent to return to Calendar No. 403.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the title of the bill as follows:

An act (S. 2644) to carry out the findings of the Court of Claims in the case of the P. L. Andrews Corporation.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $9,672.39 to the P. L. Andrews Corporation, being the damage and loss incurred and suffered by said corporation in complying with United States Navy commandeer order No. N–3255, dated June 18, 1918, as found by the Court of Claims and reported in Senate Document No. 38, Seventieth Congress, first session.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

COMMANDER CHESTER G. MAYO

The next business on the Private Calendar was the bill (H. R. 12764) for the relief of Commander Chester G. Mayo.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized and directed to allow the sum of $115 in settlement of the accounts of Commander Chester G. Mayo, Supply Corps, United States Navy, this sum being the amount paid by the said Commander Mayo on account of floral wreaths purchased in connection with the funerals of the late Congressmen Lemuel P. Padgett, Daniel J. Riordan, and James R. Mann, and disallowed by the General Accounting Office.

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

A motion to reconsider the last vote was laid on the table.

JOHN M. REBER

The next business on the Private Calendar was the bill (H. R. 12844) to amend the naval record of John M. Reber.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon persons honorably discharged from the Navy of the United States, John M. Reber, second lieutenant in the United States Marine Corps in the Civil War, shall be held to be honorably discharged as second lieutenant of such corps on June 20, 1863.

SEC. 2. This act shall not be held to make available any rights, privileges, or benefits in respect to any pension, pay, or bounty, or other emolument for any period prior to the enactment of this act.

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

A motion to reconsider the last vote was laid on the table.

BOARD OF MANAGERS, NATIONAL HOME, DISABLED VOLUNTEER SOLDIERS

The next business on the Private Calendar was the resolution (H. J. Res. 129) for the appointment of a member of the Board

of Managers of the National Home for Disabled Volunteer Soldiers.

The title of the resolution was read.

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

Mr. WARREN. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard.

Mr. HOLADAY. Mr. Speaker, will the gentleman withhold his objection for a moment?

Mr. WARREN. I do.

Mr. HOLADAY. Mr. Speaker, Major Bott is an American Legion man. He takes the place of Colonel Catherwood, of Illinois, a man now quite old. Colonel Catherwood does not care for a reappointment.

Major Bott has the indorsement of the American Legion and the Disabled Veterans and the unanimous support and indorsement of all the down-State Illinois members, irrespective of political affiliations.

Mr. WARREN. I do not think these vacancies or appointments should be made by piecemeal. I notice on the calendar under two stars that the gentleman from Maine [Mr. BEEDY] introduced a similar bill, which I did not object to, but to which the gentlemen on that side did object. I see that bill is still on the calendar. I do not think we ought to go about filling these vacancies piecemeal as in this case. The report cites the fact that this man was indorsed by 14 members of the Illinois delegation.

Mr. HOLADAY. Yes; irrespective of party.

Mr. WARREN. I assure the gentleman that party has nothing to do with it.

Mr. HOLADAY. This is the first member that the American Legion has on the board.

Mr. SCHAFER. Mr. Speaker, will the gentleman yield?

Mr. HOLADAY. Yes.

Mr. SCHAFER. Is it not a fact that each of the national homes has a member on the Board of Managers, and the policy has been to have a member from each home?

Mr. HOLADAY. Yes.

Mr. SCHAFER. And that is why the Illinois delegation indorsed the appointment?

Mr. HOLADAY. I think that is the fact. Danville, Ill., has a soldiers' home.

Mr. WARREN. I do not think we ought to go about it this way, but I shall not object to the bill. I hope the gentleman will move to go back to the bill introduced by the gentleman from Maine [Mr. BEEDY]. I shall not object to that.

Mr. HOLADAY. I do not object to that.

The SPEAKER pro tempore. Is there objection to the consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Joint resolution (H. J. Res. 129) for the appointment of a member of the board of managers of the National Home for Disabled Volunteer Soldiers

Resolved, etc., That Frank F. Bott, of Illinois, be, and is hereby, appointed a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States to succeed James S. Catherwood, of Illinois, whose term of office expired February 25, 1925.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The motion to reconsider the last vote was laid on the table.

JOHN W. BATES

The next business on the Private Calendar was the bill (H. R. 8986) for the relief of John W. Bates.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, John W. Bates, who was a private in Company A, First Battalion Sixteenth Regiment Kentucky Volunteer Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of said company and battalion on the 8th of June, 1864: *Provided*, That no bounty, pay, or allowances shall be held as accrued prior to the passage of this act.

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

A motion to reconsider the last vote was laid on the table.

ED BURLESON

The next business on the Private Calendar was the bill (H. R. 9071) for the relief of Ed Burleson.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and their dependents, Ed Burleson, who was a member of Company L, Three hundred and twenty-first Regiment United States Infantry, from May 25, 1918, to October 15, 1918, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of that organization on the 15th day of October, 1918.

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

A motion to reconsider the last vote was laid on the table.

ROY L. MARSTON

Mr. SCHAFER. I ask unanimous consent to return to Calendar No. 338.

Mr. JOHNSON of South Dakota. Is that the bill the gentleman from North Carolina referred to?

Mr. SCHAFER. Yes.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that this bill be passed over without prejudice.

The SPEAKER. Is there objection to the request of the gentleman from South Dakota?

There was no objection.

ROBERT Y. GARRISON

The next business on the Private Calendar was the bill (H. R. 9751) for the relief of Robert Y. Garrison.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, benefits, and privileges upon honorably discharged soldiers, Robert Y. Garrison, who was a second lieutenant in Company D, Three hundred and twentieth Infantry, Eightieth Division, France, during the World War, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a second lieutenant of said company and division: *Provided*, That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

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

A motion to reconsider the last vote was laid on the table.

TRACY LEE PHILLIPS

The next business on the Private Calendar was the bill (H. R. 9453) for the relief of Tracy Lee Phillips.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws or of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers and sailors, Tracy Lee Phillips shall hereafter be held and considered to have been honorably discharged from the naval service of the United States during the World War: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

W. H. ANTHONY, JR.

The next business on the Private Calendar was the bill (H. R. 10751) authorizing the Secretary of the Navy to make a readjustment of pay to Gunner W. H. Anthony, jr., United States Navy (retired).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. McCLINTIC. Mr. Speaker, I desire to call the Chair's attention to the fact that a similar bill, S. 3427, has been passed by the Senate.

The SPEAKER pro tempore. Without objection the Senate bill will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is hereby authorized to examine into the service performed by Gunner W. H. Anthony, jr., United States Navy (retired), and to pay him such amount as would be due him on January 14, 1920, for any active service performed while on the retired list.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

A similar House bill was laid on the table.

ROY L. MARSTON

Mr. BEEDY. Mr. Speaker, I ask unanimous consent to return to Calendar No. 338, House Joint Resolution 193, for the appointment of Roy L. Marston, of Maine, as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Maine?

There was no objection.

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

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That Roy L. Marston, of Maine, be, and is hereby, appointed a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States to succeed himself.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the resolution was passed was laid on the table.

MATTIE HOLCOMB

The next business on the Private Calendar was the bill (S. 1434) for the relief of Mattie Holcomb.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Mattie Halcomb, mother of Henry Grady Halcomb, late ship's cook, second class, United States Navy, is hereby allowed an amount equal to six months' pay at the rate said Henry Grady Halcomb was receiving at the date of his death: *Provided*, That the said Mattie Halcomb establishes to the satisfaction of the Secretary of the Navy the fact that she was actually dependent upon her son, the late Henry Grady Halcomb, at the time of his death.

SEC. 2. That the payment of the amount of money allowed and authorized to be paid to the said Mattie Halcomb is authorized to be made from the appropriation "Pay, subsistence, and transportation of naval personnel."

With the following committee amendments:

Page 1, line 3, strike out "Halcomb" and insert "Holcomb."

Page 1, line 4, strike out "Halcomb" and insert "Holcomb, alias Henry Grady Halcomb."

Page 1, line 7, strike out "Halcomb" and insert "Holcomb."

Page 1, line 8, strike out "Halcomb" and insert "Holcomb."

Page 1, line 10, strike out the word "actually."

Page 1, line 11, strike out "Halcomb" and insert "Holcomb."

Page 2, line 2, strike out "Halcomb" and insert "Holcomb."

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

WILLIAM E. THACKREY

The next business on the Private Calendar was the bill (S. 2306) for the relief of William E. Thackrey.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That $1,688 be appropriated for repayment to William E. Thackrey of moneys deposited by him in the Treasury of the United States to satisfy disallowances to his accounts as superintendent and special disbursing agent of the Indian school at Mohave City, Ariz., because of additional compensation paid, in violation of section 1765, Revised Statutes, to Indian policemen for the collection of school pupils: *Provided*, That of this sum $1,148 shall be repaid from appropriations made for Indian school transportation for the fiscal years 1926 and 1927, and $540 from similar appropriations for the fiscal years 1924 and 1925, said latter sum being hereby reappropriated for that purpose.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

LEAH FRANK

The next business on the Private Calendar was House Joint Resolution 76, for the relief of Leah Frank, Creek Indian, new born, roll No. 294.

The Clerk read the title of the resolution.

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

There was no objection.

The Clerk read the resolution as follows:

Resolved, etc., That there is authorized to be appropriated the sum of $5,000, out of the unpaid Creek equalization funds in full satisfaction of her rights to an allotment of Creek tribal lands.

With the following committee amendment: Page 1, in line 4, strike out "$5,000" and insert "$860," and after the word "the" strike out the words "unpaid Creek equalization funds," and insert "tribal funds of the Creek Nation."

In line 6, after the word "lands" insert a colon and add the following proviso: "*Provided*, That from the said amount there shall be deducted any equalization payment that may have heretofore been made to Leah Frank."

The committee amendment was agreed to.

The resolution was ordered to be engrossed and read a third time, was read the third time and passed.

A motion to reconsider the vote by which the resolution was passed was laid on the table.

LESTER L. LAMPERT

The next business on the Private Calendar was the bill (H. R. 1390) for the relief of Maj. Lester L. Lampert.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Maj. Lester L. Lampert, United States Army, the sum of $438.75, as reimbursement of personal effects owned by him and lost in the storm at Texas City, Tex., during the hurricane of August 15 and 16, 1915, while serving as second lieutenant with Company B, One hundred and twenty-seventh Infantry.

With the following committee amendment:

In line 6, strike out the sign and figures "$438.75" and insert in lieu thereof the sign and figures "$314.94."

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

WILLIAM F. GOODE

The next business on the Private Calendar was the bill (H. R. 3537) for the relief of William F. Goode.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to William F. Goode, former second lieutenant, Eight hundred and ninth Regiment Pioneer Infantry, the sum of $208 as reimbursement for medical and hospital expenses incurred by him while in military service.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

RAY ERNEST SMITH

The next business on the Private Calendar was the bill (H. R. 9509) for the relief of Ray Ernest Smith.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ray Ernest Smith, of the county of Rutland and the State of Vermont, the sum of $160, in full compensation for the loss of a horse in the military service at Fort Ethan Allen, Vt., during the World War.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

T. D. RANDALL & CO.

The next business on the Private Calendar was the bill (H. R. 9546) for the relief of T. D. Randall & Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That T. D. Randall & Co. are hereby authorized to bring suit against the United States under purchase orders Nos. 1904 and 1914 to 1919, both inclusive, for furnishing hay to the Army during the late war, to recover whatever losses or damages they may have suffered by reason of car shortage or other war conditions. Jurisdiction is hereby conferred upon the Court of Claims of the United States to hear, consider, and determine such action and to enter decree or judgment against the United States for the amount of any loss or damages as may be found to have been suffered by the said T. D. Randall & Co. under the said purchase orders, if any: *Provided*, That such action shall be brought and commenced within four months from the date that this act becomes effective.

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

A motion to reconsider was laid on the table.

TALBIRD & JENKINS

The next business on the Private Calendar was the bill (H. R. 10913) to compensate Talbird & Jenkins for balance due on contracts with Navy Department dated March 20 and October 9, 1919.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary be, and he is hereby, authorized and directed to pay Thomas Talbird and Heyward Jenkins, attorneys, doing business under the firm name of Talbird & Jenkins, Beaufort, S. C., out of any money in the Treasury of the United States not otherwise appropriated, the sum of $1,000 in full payment for the balance due on account of professional services rendered by the said Talbird & Jenkins under contracts with the Navy Department dated March 20, 1919, and October 9, 1919.

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

A motion to reconsider was laid on the table.

DR. ANDREW J. BAKER

The next business on the Private Calendar was the bill (H. R. 11385) for the relief of Dr. Andrew J. Baker.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the United States Compensation Commission be, and it is hereby, directed to extend to Dr. Andrew J. Baker, disabled in the line of his employment as physician at the Pacific Branch of the National Home for Disabled Volunteer Soldiers at Sawtelle, Calif., the benefit of the act of September 7, 1916 (39 Stat. L. 742), as amended, without regard to the time of the filing of his claim for such benefits.

With the following committee amendments:

Page 1, line 4, strike out the words "extend to" and insert in lieu thereof the words "hear and determine the claim of"; page 1, line 5, after the word "Baker," insert the words "who claims to have been."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

LULU CHAPLIN

The next business on the Private Calendar was the bill (S. 374) for the relief of Lulu Chaplin.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby appropriated, and the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, the sum of $7,500 to Lulu Chaplin, in full for all claims she may have against the Government on account of the death of William S. Chaplin, deceased, son of said Lulu Chaplin, who was wrongfully shot and killed by a soldier of the United States Army, on the 19th day of January, 1920, in Richland County, S. C., the said soldier of the United States Army being then and there engaged in the performance of his official duties, and the said William S. Chaplin not being then and there resisting the enforcement of any law, nor engaged in the perpetration of any unlawful act, nor violating any rules or regulations or orders or discipline of any military authority, he being a civilian and in the peaceful pursuit of his personal affairs when killed.

With the following committee amendment:

Page 1, line 6, strike out "$7,500" and insert in lieu thereof "$5,000."

Mr. DOMINICK. Mr. Speaker——

The SPEAKER pro tempore. For what purpose does the gentleman from South Carolina rise?

Mr. DOMINICK. Mr. Speaker, I rise to move that the committee amendment be laid upon the table.

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. UNDERHILL. Mr. Speaker, I did not get the request of the gentleman from South Carolina.

The SPEAKER pro tempore. The gentleman objected to the committee amendment and wants a vote on it.

Mr. O'CONNOR of New York. Mr. Speaker, I make the point of order that the motion of the gentleman is improper.

The SPEAKER pro tempore. The question is on the committee amendment.

Mr. STRONG of Kansas. If that is done we will have to object to consideration of the bill.

The SPEAKER pro tempore. The objection period has gone by.

Mr. DOMINICK. Mr. Speaker, I withdraw the request.

The SPEAKER pro tempore. The question is on the committee amendment.

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

MARTHA HENSON

The next business on the Private Calendar was the bill (S. 1637) for the relief of Martha Henson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Treasurer of the United States be, and he is hereby, authorized to pay to Martha Henson, of Baltimore City, Md., out of any money not otherwise appropriated, the sum of $2,500 as compensation for injuries received by her on November 25, 1918, when a street car of the United Railways & Electric Co., of Baltimore, Md., on which the said Martha Henson was a passenger, was struck at or near the corner of Patterson Park Avenue and Fleet Streets, Baltimore, Md., by a motor vehicle belonging to and owned by the United States and operated by a soldier of the United States Army.

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

A motion to reconsider was laid on the table.

ORLA W. ROBINSON

The next business on the Private Calendar was the bill (H. R. 7324) for the relief of Orla W. Robinson.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Orla W. Robinson, who was a member of Company L, Third Regiment United States Artillery, which later became the Thirty-third Company, Coast Artillery, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a corporal of that organization on the 9th day of May, 1901: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

The title was amended.

A motion to reconsider was laid on the table.

ALEXANDER C. DOYLE

The next business on the Private Calendar was the bill (H. R. 10034) for the relief of Capt. Alexander C. Doyle.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States be, and he is hereby, authorized and directed to adjust and settle the claim of Capt. Alexander C. Doyle, Quartermaster Corps, United States Army, in the sum of $1,655 on account of stoppage of pay as the result of alleged neglect of duty while stationed at Schofield Barracks, Territory of Hawaii, during the year 1922, of which charge he was declared not guilty by court-martial decision, and to certify same to Congress for an appropriation.

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

A motion to reconsider was laid on the table.

ROBERT W. MILLER

The next business on the Private Calendar was the bill (H. R. 8751) for the relief of Robert W. Miller.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. CARTER. Mr. Speaker, I ask unanimous consent to substitute (S. 2519), an identical bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to summon Robert W. Miller, late first lieutenant of Cavalry of the Regular Army of the United States, before a retiring board for the purpose of a hearing of his case and to inquire into and determine all the facts touching on the nature of his disabilities and his separation from the service, and to find and report the disabilities which in its judgment have produced his disability, if any, and whether such disability, if it exists, is an incident of service; that upon the findings of such a board the President is further authorized, in his discretion, to nominate and appoint, by and with the advice and consent of the Senate, the said Robert W. Miller a first lieutenant of Cavalry and either to place him immediately thereafter upon the retired list of the Army, with the same privileges and retired pay as are now or may hereafter be provided by law or regulation for the officers of the Regular Army, or to retain him on the active list of the Army in his original place immediately following Bryan L. Davis, Field Artillery, on the promoton list: *Provided*, That the said Robert W. Miller shall not be entitled to any back pay or allowances by the passage of this act.

The bill was ordered to be read the third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

BASIL N. HENRY

The next business on the Private Calendar was the bill (H. R. 6127) for the relief of Basil N. Henry.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged members of the military and naval forces of the United States and their dependents, Basil N. Henry, late of Company A, Three hundred and forty-eighth Machine Gun Battalion, American Expeditionary Forces, World War, shall hereafter be held and considered to have been honorably discharged on the 17th day of February, 1919: *Provided*, That no pension, pay, or allowances shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider was laid on the table.

PAUL JELNA

The next business on the Private Calendar was the bill (H. R. 3462) for the relief of Paul Jelna.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the committee amendment to the bill, as follows:

Strike out all after the enacting clause and insert:

"That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, their widows or dependent relatives, Paul Jelna, who was a private of Company A, Twenty-ninth Regiment United States Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on November 30, 1902: *Provided*, That no back pay, pension, or other emolument shall accrue prior to the passage of this act."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

LEWIS W. CRAIN

The next business on the Private Calendar was the bill (H. R. 6549) for the relief of Lewis W. Crain.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws, Lewis W. Crain, late of Company L, Second Regiment Kentucky Volunteer Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of said organization on the 12th day of February, 1865.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

FRANK D. PECK

The next business on the Private Calendar was the bill (H. R. 9412) for the relief of Frank D. Peck.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. KNUTSON. Mr. Speaker, all of these private bills from the Military Affairs Committee involve pensions, and I am going to insist on explanations of every one from now on.

Mr. SCHAFER. Mr. Speaker, reserving the right to object, the committee report fully explains the bill.

Mr. KNUTSON. But I want an explanation from the author of the bill.

Mr. MAPES. Mr. Speaker, the soldier in this case served four enlistments, and during one enlistment he was absent without leave for 24 hours, was court-martialed, and dishonorably discharged. He afterwards reenlisted three different times, and, as the report of the committee shows, he was found to be honest and faithful and his character excellent in each enlistment. Col. Frederick R. Day states in a letter to him, "When you were convicted of desertion, if the facts had been laid before the court, it would have been a simple absent without leave."

The officer who made the charge against him was at the time his lieutenant, and is now Col. Russell C. Langdon. Colonel Langdon, as set forth in the report of the committee, says that he was absent from his post only 24 hours, and because of his creditable record before his alleged desertion and during his three enlistments afterwards he recommends that steps be taken to remove the charge of desertion against Peck.

Mr. KNUTSON. Has he had any service in any war?

Mr. MAPES. I do not know whether he was in the World War or not.

Mr. KNUTSON. The gentleman's explanation is satisfactory.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Frank D. Peck shall be hereafter held and considered to have been honorably discharged from the military service of the United States as a private of Company M, Third Regiment United States Infantry, on November 22, 1900: *Provided,* That no back pension, back pay, or back allowance shall accrue by virtue of the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

EDWARD KNIGHT

The next business on the Private Calendar was the bill (H. R. 11754) for the relief of Edward Knight.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Edward Knight, who was a member of Company E, Ninth Infantry, United States Army, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 14th day of February, 1908: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

MORRIS FOX CHERRY

The next business on the Private Calendar was the bill (H. R. 12538) for the benefit of Morris Fox Cherry.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Morris Fox Cherry, who was a member of Battery A, One hundred and thirty-second Field Artillery, Thirty-sixth Division, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 16th day of April, 1918.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

CAPT. JOSEPH W. LOEF

The next business on the Private Calendar was the bill (S. 1594) for the relief of Capt. Joseph W. Loef.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That, in order to rectify an error of the War Department in the computation of commissioned service, the President be, and hereby is, authorized to commission Capt. Joseph W. Loef, Field Artillery, as an additional number as of July 1, 1920, with the pay and allowance of a captain from that date, the total number of captains not to be increased by the change in the date of this commission, and that Capt. Joseph W. Loef be placed in his proper place on both the promotion and relative rank lists according to the date of his commission as captain.

The bill was ordered to be read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

W. S. ALBRIGHT

The next business on the Private Calendar was House Joint Resolution 168, for the appointment of W. S. Albright, of Kansas, as a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers.
The Clerk read the title of the joint resolution.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the joint resolution, as follows:

House Joint Resolution 168

Resolved, etc., That W. S. Albright, of Kansas, be, and he is hereby, appointed a member of the Board of Managers of the National Home for Disabled Volunteer Soldiers of the United States, to succeed W. S. Albright, whose term expires January 6, 1929.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

FRANK L. MERRIFIELD

The next business on the Private Calendar was the bill (H. R. 4215) for the relief of Frank L. Merrifield.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws, Frank L. Merrifield shall hereafter be held and considered to have been honorably discharged from the military service of the United States in Group B, repair unit No. 306, Motor Transport Corps, on the 4th day of September, 1921: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued priod to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

MARTHA ANDREW VIRGINIA JOHNSON

The next business on the Private Calendar was the bill (H. R. 4380) for the relief of Martha Andrew Virginia Johnson.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That the Quartermaster General of the Army shall cause to be paid to Martha Andrew Virginia Johnson, mother of Albert L. Johnson, late of Medical Department, United States Army, who died of septicemia at the station hospital, Fort Benning, Ga., April 8, 1925, an amount equal to six months' pay at the rate the said Albert L. Johnson was receiving at the date of his death. Said amount will be paid from funds appropriated for pay of the Army.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

JAMES J. DOWER

The next business on the Private Calendar was the bill (H. R. 8598) for the relief of James J. Dower.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers and their dependents, James J. Dower, who was a member of Battery C, Second United States Artillery, Fourteenth Company Coast Artillery, Ninety-sixth Company Coast Artillery, Twentieth Company Coast Artillery Corps, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 17th day of August, 1907: *Provided,* That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

ALBERT I. RILEY

The next business on the Private Calendar was the bill (H. R. 12012) for the relief of Albert I. Riley.
The title of the bill was read.
The SPEAKER pro tempore. Is there objection to the present consideration of the bill?
There was no objection.
The SPEAKER pro tempore. The Clerk will report the bill.
The Clerk read as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Albert I. Riley, who was a member of Company K, Thirty-seventh Regiment Illinois Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service

of the United States as a private of that organization on the 12th day of April, 1866: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the last vote was laid on the table.

RELIEF OF CONTRACTORS AND SUBCONTRACTORS ON PUBLIC BUILDINGS

The next business on the Private Calendar was the bill (H. R. 12952) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by the act of March 6, 1920.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. KNUTSON. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

MORRIS DIETRICH

The next business on the Private Calendar was the bill (H. R. 2427) for the relief of Morris Dietrich.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Morris Dietrich, who was permanently disabled while engaged in the employment of the United States Government at Frankfort Arsenal, in the State of Pennsylvania, on or about July 25, 1913, the sum of $1,500.

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

A motion to reconsider the last vote was laid on the table.

C. TISDALL CO. ET AL.

The next business on the Private Calendar was the bill (H. R. 3955) for the relief of C. Tisdall Co., Herbert W. Smith, Newman Bros., Thomas J. Murphy Co., formerly Edward A. Brown Co., and Giles P. Dunn, jr.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to the C. Tisdall Co., of Newport, R. I., the sum of $1,037.65; Herbert W. Smith, of Newport, R. I., the sum of $146.15; Newman Bros., of Bristol, R. I., the sum of $114.25; Thomas J. Murphy Co., formerly Edward A. Brown Co., of Newport, R. I., the sum of $211.85; and Giles P. Dunn, jr., of Block Island, R. I., the sum of $619.54, all of said sums being due said individuals and companies for merchandise furnished crews of certain naval vessels of the United States during the late war.

With a committee amendment as follows:

Page 1, line 10, strike out "$211.85" and insert "$151.85."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

A motion to reconsider the last vote was laid on the table.

HALLER NUTT

The next business on the Private Calendar was the bill (H. R. 7149) for the relief of the legal representative of the estate of Haller Nutt, deceased.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM. Mr. Speaker, as I understand it, there has been another settlement made on this same claim. I understand the gentleman from Michigan [Mr. HOOPER] wants to make an explanation.

Mr. HOOPER. Yes. I hope the House will bear with me for just a moment. I am not in the habit of speaking here very much, but I am so deeply interested in the justice of this bill, even though there is a desire to hasten over the calendar, that I wish now to say a few words. This report represents the feeling of myself and other members of the Committee on War Claims who have given it very serious attention.

In the first place, a great injustice, extending over many years on the part of the Federal Government, has been done; and in the second place, a good deal worse than that, the lack of action on this claim represents virtual ruin for three or four human lives.

Back in the year 1863 a man by the name of Haller Nutt had two or three large plantations—two in Mississippi and one in Louisiana. He was loyal to the Federal Government. The reason I mention that is that the test of loyalty has always been required in the past on these Civil War claims, and the War Claims Committee always requires convincing proof on that subject. General Grant certified to the loyalty of Haller Nutt, the owner of this plantation.

I doubt if on either side of the aisle a higher authority than that of General Grant could be asked. Union soldiers occupied this plantation. In 1863 General Grant moved over the river to attack Vicksburg in the rear, and quartered his soldiers on this plantation. Through one cause or another this property was burned. It was a large property, and the destruction was great. A part of this money was paid, it is true. But——

Mr. ROWBOTTOM. When that payment was made was it not held to be a settlement in full?

Mr. HOOPER. No. It was not considered as a settlement in full. If the gentleman will consult the findings of the Court of Claims he will find that the settlement did not take into account the loss of the cotton gin and 700 bales of cotton. This family, just like the family of Jarndyce against Jarndyce, in Dickens' Bleak House, have been waiting for years on the verge of starvation; waiting for an act of sheer justice on the part of the Federal Government. They, and their father, have waited in vain for 65 years for restitution for a loss for which they were not responsible in any degree. The door of the War Claims Committee was closed to them for years, until at last we decided this year to consider certain claims arising out of the Civil War.

When we examined this claim it appealed strongly to the entire committee, and as a result we made a minute and laborious study of its facts.

The Court of Claims has ascertained the amount that is due these people. The Senate has allowed their claim in twice the amount that we have granted here, but our committee is a very conservative committee—an extremely conservative one.

Mr. LINTHICUM. Will the gentleman yield?

Mr. HOOPER. Yes.

Mr. LINTHICUM. Does the gentleman think this claim is any more just than the claim of Baltimore City, to which claim the gentleman made an objection?

Mr. HOOPER. I do. I do not think the city of Baltimore has an equitable claim against the Government cognizable by us.

Mr. LINTHICUM. I was just thinking that the case was on all fours with the claim of the city of Baltimore.

Mr. HOOPER. I do not think so. We considered that your claim was paid and that there was accord and satisfaction between the city of Baltimore and the Government, but there has not been any accord and satisfaction between the Government of the United States and these poor descendants of Haller Nutt. I want to be brief and I want to make just one other statement.

Mr. BEEDY. Will the gentleman yield?

Mr. HOOPER. Yes.

Mr. BEEDY. The gentleman will recall that when I had charge of the Private Calendar I thought this was an unjust claim because of the amount involved, but upon subsequent study of the case I convinced myself I was wrong. I want to ask the gentleman if the Court of Claims did not find, as a matter of fact, the actual loss here and the actual amount here demanded, but failed to pay it because at that time, by the wording of the statute under which it operated, it did not have jurisdiction over the items in question?

Mr. HOOPER. The gentleman is absolutely correct. I want to say this in closing: The Senate allowed this claim, and the Senate has allowed it before, as I remember, in the sum of $131,000, or thereabouts. I do not think our committee really should have cut it in half, but we did so on the theory that when we came in here there would be less likelihood of an objection to the bill and there would be less of heartbreak and distress upon the part of these poor people back there in Mississippi by having some sort of rough justice voted to them.

Mr. GREEN. Will the gentleman yield?

Mr. HOOPER. Yes.

Mr. GREEN. Are these descendants mostly in Mississippi?

Mr. HOOPER. Three of them are old ladies who, I have been told and believe, are eating corn bread and molasses as their principal diet. They are living in Mississippi, and their brother, the mere shadow of a man, has haunted the Capitol and the halls of the House Office Building literally for years, until at last we unbarred the gates and let this claim be considered.

Mr. SCHAFER. Will the gentleman yield?

Mr. HOOPER. Yes.

Mr. SCHAFER. This claim, if allowed, will be in final settlement, will it not?

Mr. HOOPER. This claim, if allowed, will be in final settlement.

Mr. SCHAFER. Is any attorney interested in the case to any great extent so that we ought to amend the bill providing a limit on the fee to be paid to him?

Mr. HOOPER. There was an attorney who appeared before the committee at one time, I think.

Mr. SCHAFER. Does not the gentleman think there ought to be an amendment in the bill limiting his fee.

Mr. HOOPER. I am perfectly willing that such an amendment be placed in the bill, if the House see fit to allow it.

Mr. QUIN. Who was the attorney?

Mr. HOOPER. I can not remember the name of the attorney.

Mr. QUIN. I think the gentleman is mistaken. Mr. Nutt is the only one.

Mr. HOOPER. The gentleman is correct. I had another matter in mind. The gentleman himself is a lawyer, I believe.

Mr. QUIN. He is a lawyer, but not a practicing lawyer.

Mr. ROWBOTTOM. Mr. Speaker, I withdraw my objection and ask for the regular order.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HOOPER. Mr. Speaker, I ask unanimous consent to substitute the Senate bill (S. 1769).

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Sargeant Prentiss Knut, administrator de bonis non cum testamento annexo of the estate of Haller Nutt, deceased, late of Natchez, Miss., out of any money in the Treasury not otherwise appropriated, the sum of $131,328, due the estate of the said Haller Nutt for one mill and 700 bales of cotton taken for use by the United States military authorities, in compliance with the findings of the Court of Claims reported to Congress February 18, 1915.

Mr. HOOPER. Mr. Speaker, I offer an amendment, on line 10, strike out "$131,328" and insert in lieu thereof "$65,664."

The SPEAKER pro tempore. The gentleman from Michigan offers an amendment which the Clerk will report.

The Clerk read as follows:

Amentment offered by Mr. HOOPER: In line 8 of the Senate bill strike out "$131,328" and insert in lieu thereof "$65,664."

The amendment was agreed to.

Mr. STRONG of Kansas. Mr. Speaker, there is a further committee amendment, in line 7, insert the words "in full settlement of any and all claims against the Government of any nature whatsoever on the part of the said estate."

The SPEAKER pro tempore. The gentleman from Kansas offers an amendment which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. STRONG of Kansas: In line 6 of the Senate bill, after the word "Mississippi," insert the words "in full settlement of any and all claims against the Government of any nature whatsoever on the part of said estate."

The amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

AMENDMENT OF ACT FOR RELIEF OF CONTRACTORS

Mr. RUTHERFORD. Mr. Speaker, I ask unanimous consent to return to Calendar No. 508, the bill H. R. 12952.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Georgia?

There was no objection.

The Clerk read the title of the bill, as follows:

A bill to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920, be, and the same is hereby, amended so that said act shall include J. H. B. Wilder, of Macon, Ga., the contractor for the United States post-office building erected at Forsyth, Ga.; and as to said J. H. B. Wilder, contractor, claims for reimbursement as provided by said act of August 25, 1919, as amended by act of March 6, 1920, may be filed within three months after the passage of this act.

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

A motion to reconsider was laid on the table.

EDWARD I. GALLAGHER, ADMINISTRATOR

The next business on the Private Calendar was the bill (H. R. 8463) to carry out the findings of the Court of Claims in the case of Edward I. Gallagher, of New York, administrator of the estate of Charles Gallagher, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

Mr. O'CONNOR of New York. Mr. Speaker, I ask unanimous consent that the bill (S. 456), which is number 664 on the calendar, be substituted in place of this bill.

Mr. KNUTSON. Reserving the right to object, Mr. Speaker, is the amount carried in the Senate bill the same as in the House bill?

Mr. O'CONNOR of New York. It is an identical bill which has been passed by the Senate.

Mr. KNUTSON. Is it the same in amount?

Mr. O'CONNOR of New York. The amount is the same; yes.

Mr. SCHAFER. Is there a provision in the bill that this is in full settlement?

Mr. O'CONNOR of New York. It is in final and full settlement. It was expected to be settled years ago, but now he takes this in full settlement.

Mr. SCHAFER. But that is not in the bill. Generally, these bills that come out of the Claims Committee provide that the appropriation therein is in full settlement of the claim.

Mr. KNUTSON. This is all that he has asked for.

Mr. O'CONNOR of New York. This is all he can think up now, and I doubt if he can ever think up any more.

Mr. SCHAFER. I withdraw my objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill.

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Edward I. Gallagher, administrator of the estate of Charles Gallagher, deceased, of New York, the sum of $23,387.03, being the amount found due by the Court of Claims for loss and destruction of his schooner *Nimrod* and cargo, during the Civil War, while he was under military orders, within military lines, and executing military commands, as reported to Congress in Senate Document No. 56, Fifty-eighth Congress, third session, Congressional Report No. 10303, filed in the Senate December 5, 1904.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

CHARLES THOMAS WOOTEN

The next business on the Private Calendar was the bill S. 1955, an act for the relief of Lieut. Charles Thomas Wooten, United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Comptroller General of the United States is hereby authorized to settle the claim of Lieut. Charles Thomas Wooten, United States Navy, in the sum of $518.25 for medical, hospital, and other expenses incident to an emergency operation upon the said Lieutenant Wooten on May 23, 1924.

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

A motion to reconsider was laid on the table.

MARY MARTIN HARRISON

The next business on the Private Calendar was the bill (H. R. 7244) for the relief of Mary Martin Harrison.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Mary Martin Harrison, mother of the late Henry Hartwell Harrison, ensign, United States Navy, Aviation Service, the sum of $1,125 on account of the death of her son, who was killed in line of duty, the said sum being the amount of six months' pay at the rate said Ensign Henry Hartwell Harrison was receiving at the date of his death, November 1, 1926, at Pensacola, Fla., when he crashed into the sea with a plane in which he was riding.

With the following committee amendment:

Line 13, strike out the period, insert a colon, and add the following proviso: "*Provided*, That the said Mary Martin Harrison establishes that she was dependent upon her son, Henry Hartwell Harrison, at the time of the latter's death."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

T. P. BYRAM

The next business on the Private Calendar was the bill (H. R. 10508) for the relief of T. P. Byram.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the General Accounting Office be authorized and directed to pay to T. P. Byram, lieutenant (retired), Supply Corps, United States Navy, the sum of $199.57, pay and allowances due him for active duty performed by him during the period from August 6 to August 26, 1921, inclusive, prior to the approval of his bond by the Secretary of the Navy.

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

A motion to reconsider was laid on the table.

ST. FRANCIS DE SALES CHURCH

The next business on the Private Calendar was the bill (H. R. 12738), to provide for the reinterment of bodies now interred in the grounds of St. Francis de Sales Church in the District of Columbia.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. ZIHLMAN. Mr. Speaker, I ask to substitute the Senate bill.

The SPEAKER pro tempore. Without objection the Clerk will read the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That Michael J. Curley, Roman Catholic Archbishop of Baltimore, a corporation sole under the laws of the State of Maryland, be, and he is hereby, authorized and empowered, under such regulations as the Commissioners of the District of Columbia may prescribe, to transfer the bodies interred in the grounds of the St. Francis de Sales Church in the District of Columbia, known as parcel 155/1, to some other suitable cemetery, or cemeteries, within the District of Columbia. Further interments in such grounds shall be prohibited from and after the passage of this act; and the proprietors thereof are authorized to use the same for any legal purposes they may deem proper, subject to such proceedings in eminent domain as may have been or shall hereafter be taken.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

J. W. ANDERSON

The next business on the Private Calendar was the bill (S. 1387) for the relief of J. W. Anderson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERHILL. I object.

WILLIAM R. BOYCE & SON

The next business on the Private Calendar was the bill (S. 379) for the relief of William R. Boyce & Son.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of $1,208.25 to William R. Boyce & Son for storage earned on certain 75 drums of imported alcohol stored by order of the collector of customs, port of New York, for the account of the United States Government, in bonded warehouse of which they are the proprietors, and subsequently destroyed by order of the United States Treasury Department.

The bill was ordered to be read a third time, was read a third time, and passed.

A motion to reconsider was laid on the table.

J. F. NICHOLS

The next business on the Private Calendar was the bill (S. 764) for the relief of J. F. Nichols.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to J. F. Nichols, out of any money in the Treasury not otherwise appropriated, the sum of $200 for the purpose of refunding to J. F. Nichols the said sum paid in excess as a fine to the clerk of the United States district court at Tulsa, Okla., in the case of the United States *v.* John Nichols, No. 463.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

WILLIAM A. LIGHT

The next business on the Private Calendar was the bill (S. 1691) for the relief of William A. Light.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $1,524.89 to William A. Light, of Valentine, Ariz., as compensation for injuries sustained on September 26, 1916, in the discharge of his official duties as superintendent of the United States Indian-school agency at Mescalero, N. Mex.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

F. L. CAMPBELL

The next business on the Private Calendar was the bill (S. 2227) for the relief of F. L. Campbell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to F. L. Campbell, clerk of the United States District Court for the District of Kansas, the sum of $500, being the amount erroneously deposited by him to the credit of the Treasurer of the United States and since covered into the Treasury, as proceeds of a forfeited bond, such sum in fact representing a cash bond given by George Orr for his appearance before the district court, and subsequently refunded to the bondsman by said F. L. Campbell under order of the court.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

HATTIE M. M'MAHON

The next business on the Private Calendar was the bill (S. 2697) for the relief of Hattie M. McMahon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of Hattie M. McMahon, United States Treasury note, series B-1925, issued June 15, 1922, matured December 15, 1925, serially numbered 57896, for $1,000, with interest at the rate of 4¾ per cent per annum from December 15, 1924, to December 15, 1925, without presentation of the said note

or the coupons representing interest thereon from December 15, 1924, to December 15, 1925, the note having been lost, stolen, or destroyed: *Provided,* That the said note shall not have been previously presented for payment and that no payment shall be made hereunder for any coupons which shall have been previously presented and paid: *Provided further,* That the said Hattie M. McMahon shall first file in the Treasury Department a bond in the penal sum of double the amount of the note and the interest payable thereon, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, to indemnify and save harmless the United States from any loss on account of the lost, stolen, or destroyed Treasury note herein described or the coupons belonging thereto.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

SAWYER MOTOR CO.

The next business on the Private Calendar was the bill (H. R. 9943) for the relief of Sawyer Motor Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. ROWBOTTOM. Mr. Speaker, reserving the right to object, I notice that there was only one bid made for this truck. Why were not competitive bids made for the truck?

Mr. WEAVER. Mr. Speaker, this bill should pass. The Forest Service purchased this truck from the Sawyer Motor Co. at Asheville, N. C. They thought they had authority to purchase the truck. The comptroller afterwards decided that they did not have that authority, but they had used the truck for about six months, and this amount of this bill was agreed upon as a settlement for the truck.

Mr. ROWBOTTOM. Mr. Speaker, I withdraw the objection.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Sawyer Motor Co. (Inc.), of Asheville, N. C., the sum of $510, in full payment for the use by the Forest Service of the Department of Agriculture of a motor truck, the property of said company, during the period July 2, 1926, to January 25, 1927.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

RUSSELL & TUCKER

The next bill on the Private Calendar was the bill (S. 620) for the relief of Russell & Tucker and certain other citizens of the States of Texas, Oklahoma, and Kansas.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERHILL. I object.

BERTINA SAND

The next business of the Private Calendar was the bill (H. R. 7552) for the relief of Bertina Sand.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $5,000 to Bertina Sand, of Minneapolis, Minn., as reimbursement for loss of earning power and for expenses actually incurred by her as the direct result of personal injuries received by her on the 7th day of April, 1927, at Minneapolis, Minn., when she was struck by a Government motor vehicle then and there negligently operated by the Post Office Department of the United States Government, and as full compensation for said injuries, the pain and suffering from the same, and the damages resulting therefrom.

With the following committee amendment:

Line 5, strike out "$5,000" and insert "$4,560.25."

The committee amendment was agreed to.

Mr. IRWIN. Mr. Speaker, I offer the following amendment, which I send to the desk.

The Clerk read as follows:

Amendment offered by Mr. IRWIN: At the end of the bill insert: "*Provided,* That it shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 5 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than $1,000 or more than $2,000."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ST. VINCENT'S ORPHAN ASYLUM

The next business on the Private Calendar was the bill (S. 2511) to change the name of St. Vincent's Orphan Asylum and amend the act entitled "An act to amend an act entitled 'An act to incorporate St. Vincent's Orphan Asylum, in the District of Columbia,' approved February 25, 1831."

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act of Congress amending the act incorporating St. Vincent's Orphan Asylum, approved on the 22d day of June, 1910, be, and it hereby is, amended as follows:

"The name of said corporation shall be St. Vincent's Home and School.

"SEC. 2. The purpose of said corporation shall be to care for and educate orphan, indigent, and other female children under 18 years of age under such rules and regulations as it may adopt.

"SEC. 3. All property now vested in St. Vincent's Orphan Asylum as incorporated as aforesaid is hereby vested in and confirmed to St. Vincent's Home and School as reincorporated by this act. Said corporation shall have power to acquire, hold, and convey such real estate as it may deem proper for its said purposes and to hold such personal property as it may use, or use the income from, for said purposes, and to take and hold real estate and personal property by grant, devise, or bequest: *Provided,* That any real estate granted or devised to it and not used for its corporate purposes shall be sold and conveyed away within five years after the date of such devise.

"SEC. 4. Cornelius F. Thomas, Michael J. Riordan, Samuel Joseph Henry, Paul E. Johnson, O. H. Perry Johnson, Peter A. Drury, Michael F. Calnan, William P. Normoyle, E. Francis Riggs, Joseph E. Ransdell, B. Francis Saul, James F. Shea, and William H. De Lacy are hereby constituted and confirmed as the said corporation and as trustees to manage the said corporation. When a vacancy occurs in their number they may fill such vacancy, and they may increase or diminish their number from time to time as they may deem expedient. They shall elect a president, a secretary, and a treasurer from their number, adopt a corporate seal, and make all needful by-laws and rules and regulations for the institution to be conducted by said corporation.

"SEC. 5. That the proviso in section 1 of said act of Congress approved on the 22d day of June, 1910, and all parts of said act inconsistent with this act are hereby repealed.

"SEC. 6. The right is reserved to alter, amend, or repeal this act."

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

PETIT JEAN MOUNTAIN

The next business on the Private Calendar was the bill (S. 3338) authorizing the sale of certain lands on Petit Jean Mountain, near Morrilton, Ark., for use by the Young Men's Christian Association of Arkansas.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That upon payment therefor at the rate of $1.25 per acre, the Secretary of the Interior be, and he is hereby, authorized and directed to issue patent for the following-described lands to the State executive committee of the Young Men's Christian Association of Arkansas for use by the said association for a camp: The south half of the northeast quarter, southeast quarter of the northwest quarter and lot 4, section 31, in township 6 north, range 17 west, county of Conway, State of Arkansas, containing 168.97 acres: *Provided,* That there shall be reserved to the United States all oil, coal, or other minerals in the land, and the right to prospect for, mine, and remove the same under such rules and regulations as the Secretary of the Interior shall prescribe.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

TITLE TO CERTAIN LANDS IN FAULKNER COUNTY, ARK.

The next business on the Private Calendar was the bill (S. 3602) to quiet title and possession with respect to certain lands in Faulkner County, Ark.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore (Mr. TILSON). The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That all right, title, and interest of the United States in and to the lands situated in Faulkner County, Ark., described as follows: The south half southwest quarter section 36, township 7 north, range 13 west, fifth principal meridian, Arkansas, according to the official plat thereof dated April, 1819, be, and the same are hereby, granted, released, and relinquished by the United States in fee simple to the respective owner or owners of the equitable title and to their heirs and assigns forever, as freely and completely in every respect whatever as could be done by patents issued therefor according to law.

SEC. 2. Nothing in this act shall in any manner abridge, divest, impair, injure, or prejudice any valid right, title, or interest of any person or persons in or to any portion or part of the lands mentioned in the said first section, the true intent of this act being to relinquish and abandon, grant, give, and concede any and all right, interest, and estate, in law or equity, which the United States is or is supposed to be entitled to in said lands, in favor of all persons, estates, firms, or corporations, who would be the true and lawful owners of the same under the laws of the State of Arkansas, including the laws of prescription, in the absence of the said interest and estate of the United States.

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

A motion to reconsider the last vote was laid on the table.

A similar House bill was laid on the table.

E. M. GILLETT AND J. H. SWENARTON

The next business on the Private Calendar was the bill (H. R. 7330) for the relief of E. M. Gillett and J. H. Swenarton.

The title of the bill was read.

The SPEAKER pro tempore Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the General Accounting Office is hereby authorized and directed to adjust and settle the claim of E. M. Gillett in the sum of $631.82, and the claim of J. H. Swenarton in the sum of $631.82, in connection with the inspection of tea for the Navy during the fiscal year 1926, and to pay the amounts allowed from the appropriation "Provisions, Navy, Bureau of Supplies and Accounts, 1926."

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

A motion to reconsider the last vote was laid on the table.

FRANS JAN WOUTERS, OF ANTWERP, BELGIUM

The next business on the Private Calendar was the bill (H. R. 11260) for the relief of Frans Jan Wouters, of Antwerp, Belgium.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That an appropriation in the sum of $1,648 be, and the same is hereby, authorized to compensate Frans Jan Wouters for the death of his father, Jan Van Wouters, a Belgian national, as a result of being struck by a United States Navy automobile in the city of Antwerp, Belgium, on August 12, 1919.

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

A motion to reconsider the last vote was laid on the table.

COMMANDER ALBERT CUSHING READ

The next business on the Private Calendar was the resolution (H. J. Res. 51) tendering the thanks of Congress to Commander Albert Cushing Read, United States Navy, for his achievement in completing the first trans-Atlantic airplane flight, and providing for his advancement on the list of commanders of the Navy.

The title of the resolution was read.

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

There was no objection.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 51) tendering the thanks of Congress to Commander Albert Cushing Read, United States Navy, for his achievement in completing the first trans-Atlantic airplane flight, and providing for his advancement on the list of commanders of the Navy

Resolved, etc., That the thanks of Congress are hereby tendered to Commander Albert Cushing Read, United States Navy, for his success in accomplishing the first trans-Atlantic airplane flight.

SEC. 2. The President is hereby authorized to advance Commander Albert Cushing Read, United States Navy, 10 numbers on the list of commanders of the Navy, to rank next after Commander Aubrey Wray Fitch. Said Albert Cushing Read shall be an additional number in the grade of commander, and in any grade to which he may hereafter be promoted.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

FRANK MURRAY

The next business on the Private Calendar was the bill (H. R. 3559) for the relief of Frank Murray.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the committee amendment instead of the original bill.

There was no objection.

The Clerk read as follows:

Committee amendment: Strike out all after the enacting clause and insert the following:

"That the Secretary of the Interior is hereby directed to investigate the removal of Frank Murray, a member of the Bad River Band of Chippewa Indians, and an allottee upon the Bad River Reservation in Wisconsin, from said reservation; and if he shall find that such removal by officers and agents of the Government was illegal, the Attorney General concurring, he shall so certify to the Secretary of the Treasury.

"Upon such certification being made to the Secretary of the Treasury, he is hereby authorized and directed to pay to said Frank Murray the sum of $3,000 to compensate him for injuries to his business and property by reason of such illegal removal."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

A motion to reconsider the last vote was laid on the table.

TOWN SITE OF ALVA, OKLA.

The next business on the Private Calendar was the bill (H. R. 10550) to provide for the acquisition by Meyer Shield Post, No. 92, American Legion, Alva, Okla., of lot 19, block 41, the original town site of Alva, Okla.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 10550) to provide for the acquisition by Meyer Shield Post, No. 92, American Legion, Alva., Okla., of lot 19, block 41, the original town site of Alva, Okla.

Whereas lot 19, block 41, of Alva, Okla., patented to Company I, First Regiment Oklahoma National Guard, pursuant to the provisions of the act of June 18, 1912 (37 Stat. 136), is not being used for the purpose for which granted: Therefore

Be it enacted, etc., That lot 19, block 41, of the original town site of Alva, Okla., be, and it is hereby, forfeited to the United States, and the United States hereby resumes the title thereto.

SEC. 2. That the Secretary of the Interior be, and he is hereby, authorized and directed to cause a patent to issue to Meyer Shield Post, No. 92, American Legion, Alva, Okla., for the tract of land described as lot No. 19, block No. 41, according to the original plat of such city.

With committee amendments as follows:

Page 2, line 5, after the word "to," insert "Dr. O. E. Templin, V. G. Gardner, and Merritt C. Mason as trustees of." On page 2, line 7, after the word "Oklahoma," insert "and to their successors." After line 9, insert a colon and add the following proviso: "*Provided, however,* That said patent shall be issued upon the express condition that Meyer Shield Post No. 92, American Legion, Alva, Okla., shall erect a post building upon said lot within five years after the approval of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The amendments were agreed to.

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

A motion to reconsider the last vote was laid on the table.

PORTER BROS. & BIFFLE ET AL.

The next business on the Private Calendar was the bill (H. R. 4083) authorizing Porter Bros. & Biffle and others, to bring suit against the United States of America for loss and damages sustained through erroneous certification by the Bureau of Animal Industry.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. UNDERHILL. Mr. Speaker, I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

JOSEPH N. MARIN

The next business on the Private Calendar was the bill (H. R. 9300) for the relief of Joseph N. Marin.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That in the administration of the pension laws Joseph N. Marin, late of the United States ship *Solace,* shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as a third-class apprentice of said ship.

With a committee amendment as follows:

Page 1, line 7, after the word "ship," insert "*Provided,* That no back pay or allowances shall accrue prior to the passage of this act."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

A motion to reconsider the last vote was laid on the table.

FRED ELIAS HORTON

The next business on the Private Calendar was the bill (H. R. 9597) for the relief of Fred Elias Horton.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to order Fred Elias Horton, formerly commander, United States Naval Reserve Force, to appear before a naval retiring board for the purpose of determining whether or not the disability complained of in his case originated in the line of duty in time of war: *Provided,* That if said naval retiring board finds that the said Fred Elias Horton is now suffering from a disability incurred in the line of duty in time of war which renders him unfit to perform all duties of the grade of commander, United States Naval Reserve Force, in time of war, the President be, and he is hereby, authorized to appoint Fred Elias Horton a commander, United States Naval Reserve Force, and to place him upon the retired list of the Navy with the retired pay and emoluments of that grade: *Provided further,* That no back pay, allowances, or emoluments shall become due because of the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

CLARA PERCY

The next business on the Private Calendar was the bill (H. R. 11045) to confer jurisdiction upon the Court of Claims to hear and determine the claim of Clara Percy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. UNDERHILL. Mr. Speaker, I object.

SALLIE STAPLEFORD AND OTHERS

The next business on the Private Calendar was the bill (S. 343) for the relief of Sallie Stapleford, Mrs. J. C. Stuckert, Mary E. Hildebrand, Kate Wright, Mary M. Janvier, Harry L. Gray, Frank D. Carrow, Harry V. Buckson, George H. Swain, Claude N. Jester, and Charles H. Jamison.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HICKEY. Mr. Speaker, I object.

Mr. KNUTSON. Is it the gentleman's intention to object to everything from now on?

Mr. HICKEY. Everything that the gentleman from Massachusetts has on the calendar.

Mr. KNUTSON. Every bill from the Committee on Claims?

Mr. HICKEY. Yes.

Mr. UNDERHILL. May I say to the gentleman that I have no personal interest in these claims, not one of them. Senate claims are usually reported by the chairman of the committee.

Mr. HICKEY. I have no particular interest in the claim you objected to. It has passed the Senate unanimously, and is now on this calendar. It passed this House unanimously at the last session of Congress, and I see no reason why the gentleman should object.

Mr. UNDERHILL. It establishes a precedent which Congress never has established. It refers to the Court of Claims a death claim, which has never been done. It is an absolute departure from the rule laid down by this House for the adjudication of these claims. If the House wants to suspend operations on this calendar now I am perfectly willing, but the case is too serious, it is too important, it is too far-reaching, and it is too great a departure from a policy followed by Congress since our Government was established for us to pass to-night by unanimous consent.

Mr. HICKEY. The claim which the gentleman objected to is as meritorious a claim as ever went on this calendar. It simply confers jurisdiction upon the Court of Claims to hear and determine a claim for damages against the United States Government growing out of an accident that occurred in the Panama Canal Zone. It is a valid, meritorious claim, and if this bill becomes law it will simply give to the Court of Claims jurisdiction to hear and determine this claim under the rules of the common law, which are very difficult to meet in a damage suit.

Mr. UNDERHILL. Mr. Speaker, I will simply say in defense of the position I have taken that I will refer to the recollection of the oldest Member or the Member who has had the longest service here if the House has ever referred a death claim to the Court of Claims. It never has been done.

Mr. HICKEY. It was passed by unanimous consent in the last Congress, this same bill. It went over to the Senate but it was lost during the closing days of the session.

Mr. FULMER. If the gentleman will permit, I would like to state that I think it was in the last session that I passed a bill which permitted the Court of Claims to pass upon a claim of my constituent and get judgment for about $40,000, a similar case to this one.

Mr. UNDERHILL. The record will show that the gentleman is mistaken.

Mr. DOWELL. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is: Is there objection to the consideration of the bill?

Mr. HICKEY. I object.

LLOYD LAFOT

The next business on the Private Calendar was the bill (S. 362) to provide for the advancement on the retired list of the Navy of Lloyd Lafot.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TILSON). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That Ensign Lloyd Lafot, United States Navy, retired, shall have the rank and receive the pay and allowances of a lieutenant (junior grade) on the retired list of the United States Navy. Such rank shall take effect on March 5, 1924, but no back pay or allowances shall accrue to said officer by reason of the passage of this act.

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

A motion to reconsider was laid on the table.

FLORIDA EAST COAST CAR FERRY CO.

The next business on the Private Calendar was the bill (S. 445) for the relief of the Florida East Coast Car Ferry Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HICKEY. I object, Mr. Speaker.

ALBERT WOOD

The next business on the Private Calendar was the bill (S. 1217) for the relief of Albert Wood.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, to Albert Wood, of Vernonia, Columbia County, Oreg., the sum of $750 in full compensation for losses suffered by him through and in connection with the cancellation by the Post Office Department in October, 1915, of a contract held by him for carrying the mails on star route No. 73195, in the State of Oregon, from July 1, 1914, to June 30, 1918.

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

A motion to reconsider was laid on the table.

OMER D. LEWIS

The next business on the Private Calendar was the bill (S. 1448) for the relief of Omer D. Lewis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $2,573.25 to Omer D. Lewis for the purpose of reimbursing him for expenses incurred for hospital and doctor's fees paid and serious personal injuries received while aiding Federal officers engaged in suppressing the sale of liquor to Indians, the same to be immediately available.

With the following committee amendment:

Page 1, line 5, strike out "$2,573.25" and insert "$1,573.21."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JAMES M. E. BROWN

The next business on the Private Calendar was the bill (S. 1646) for the relief of James M. E. Brown.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WARREN. Mr. Speaker, reserving the right to object, we can only size up these bills by what the reports contain.

This bill seeks to compensate an apparently honorable and law-abiding man and his wife for the outrageous and shocking assault made on them five years ago in the District of Columbia by revenue officers. A claim of this kind is certainly very disheartening to those who would like to see the enforcement of prohibition a success.

I ask unanimous consent, Mr. Speaker, that the report, which is short, be printed immediately following the passage of this bill so that the House may see just what they have voted upon.

The SPEAKER pro tempore. The gentleman from North Carolina asks unanimous consent to extend his remarks in the RECORD by inserting the report made in connection with this bill. Is there objection?

There was no objection.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay James M. E. Brown and Lena Belle Brown, out of any money in the Treasury not otherwise appropriated, the sum of $2,500, in full and final settlement of all claims against the Government for damages resulting from a raid made on December 20, 1923, by internal-revenue agents upon the premises of the said James M. E. Brown and Lena Belle Brown at 1954 Columbia Road NW., Washington, D. C.

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

A motion to reconsider was laid on the table.

The matter referred to by Mr. WARREN is as follows:

[H. Rept. No. 1411, 70th Cong., 1st sess.]

JAMES M. E. BROWN

Mr. UNDERHILL, from the Committee on Claims, submitted the following report (to accompany S. 1646):

The Committee on Claims, to whom was referred the bill (S. 1646) for the relief of James M. E. Brown, having considered the same, report thereon with a recommendation that it do pass.

[S. Rept. No. 730, 70th Cong., 1st sess.]

The Committee on Claims, to whom was referred the bill (S. 1646) for the relief of James M. E. Brown, having considered the same, report favorably thereon with the recommendation that the bill do pass with the following amendment:

In line 6, strike out the figures "$5,000" and insert in lieu thereof the figures "$2,500."

The bill provides for the payment of $2,500 in full and final settlement of all claims against the Government for damages resulting from a raid on December 20, 1923, by internal-revenue agents upon the premises of James M. E. Brown and Lena Belle Brown at 1954 Columbia Road NW., Washington, D. C.

Under date of February 24, 1927, the Secretary of the Treasury stated that—

"The Treasury will interpose no objection to the passage of this bill, and, moreover, after a careful review of the files and thorough consideration of other circumstances connected with this case, I believe that favorable consideration should be given to the claim."

The facts are fully set forth in the following correspondence from the Treasury Department and in a memorandum submitted to the committee, which are appended hereto and made a part of this report.

TREASURY DEPARTMENT,
Washington, February 24, 1927.

Hon. RICE W. MEANS,
United States Senate.

MY DEAR SENATOR: I am in receipt of your letter of February 22, 1927, transmitting a copy of a bill for the relief of James M. E. Brown and Lena Belle Brown in the sum of $5,000.

The Treasury will interpose no objection to the passage of this bill, and, moreover, after a careful review of the files and thorough consideration of other circumstances connected with this case, I believe that favorable consideration should be given to the claim.

Very truly yours,

A. W. MELLON,
Secretary of the Treasury.

* * * * * * *

TREASURY DEPARTMENT,
Washington, July 3, 1924.

Mrs. J. M. E. BROWN,
1954 Columbia Road, Washington, D. C.

MY DEAR MADAM: I am in receipt of your letter of June 19, with further reference to the raid which was conducted at 1954 Columbia Road on December 20, 1923.

As stated in previous communications addressed to you on this subject, the raid in question was conducted as the result of a search warrant issued upon the advice of one of the assistant United States attorneys for the District of Columbia, to whom the facts indicating the character of business which was being conducted there were presented.

It is regretted that you and your family suffered illness and expense as the result of the occurrence, but under the circumstances there does not seem to be anything the department can do in the matter.

Yours very truly,

GARRARD B. WINSTON,
Acting Secretary of the Treasury.

* * * * * * *

MEMORANDUM IN RE RAID ON PREMISES 1954 COLUMBIA ROAD NW. ON DECEMBER 20, 1923, BY POLICE AND INTERNAL REVENUE AGENTS

Mr. and Mrs. James M. E. Brown reside at the above premises, which is a three story and basement dwelling house. They also, at the time, owned and operated a laundry at No. 1509 Connecticut Avenue NW. They have two children, Edmonds and Carolyn, aged 9 and 7 years, respectively.

In order to help support themselves they rent out the second and third floors as apartments. Doctor Sokolowski, secretary of the Polish Legation, occupied the third floor, and Mr. Hertelendy, secretary of the Hungarian Legation, lived on the second floor. Further, both these gentlemen had been given permission to store any of their effects, including liquor, in the basement.

At 10.30 on the morning of December 20, 1923, a number of police and revenue officers broke into the said premises under authority of a

search warrant issued by the Internal Revenue Bureau. No attempt at peaceable entry was made, but entrance was effected through breaking in the rear basement door.

At the time of breaking into the house the young colored maid, by name Cloan Shawn, was the only person in the house, the children being at school and the parents, Mr. and Mrs. Brown, being at their laundry.

These officers, after breaking down the door to the garage and the outer basement door, entered and broke open other doors in the basement, tore open bureau and dresser drawers, opened sealed mail and letters, responded to at least one telephone call to one of the diplomatic tenants insulting the person calling by insinuating that their "stuff" was all ready, etc. Further, they tracked coal dust and dirt over the whole house, and examined through all closets and furniture in the home throughout the whole building.

The maid was placed under arrest and insulting proposals as well as threats were made to her. The officer who did this especial act of lawless brigandage was a Sergeant McQuade, of the police force.

Permission to telephone either Mr. or Mrs. Brown was denied the said maid, and as it neared the hour of noon when it was her duty to go to the school for the children to conduct them home for their lunch, she told the said officers that she "had to go for the children, as the little boy (Edmonds) had convulsions and she always had to go for them—that they were not allowed on the streets alone." This permission was denied her, and then she began begging and crying, exclaiming that the little boy might have a convulsion at any time; that he might die, especially if he became frightened.

Finally, at 12.45 p. m., the said maid was granted permission to telephone to Mrs. Brown at the laundry, but was allowed to say only, "I can not go for the children. I am busy." After saying that the telephone was taken from her and hung up by one of the officers.

This unusual procedure on the part of the maid badly frightened Mrs. Brown, who immediately made all possible haste to her home. Arriving there, she found the house filled with officers, who placed her under arrest immediately. In the meantime, before entering her home, she had sent her laundry delivery boy after the children.

When the children arrived and saw a great many policemen in charge of their home the little boy went into a convulsion and the little girl was badly frightened and cried most pitiably. Neither Mrs. Brown nor the maid was allowed to give the little girl her luncheon, but a police officer performed that service, being afraid, possibly, that this 7-year-old girl would make away with or otherwise dispose of and secrete the liquor.

About 1.10 p. m. the Polish secretary and a clerk of the Polish Legation came in and stated to the officers that the liquor found in that house belonged to him. An argument ensued; the Polish secretary even went to the extent of telephoning the State Department, but not until one of the internal revenue agents, a Mr. Cox, had called his chief, and were ordered to do so, did the officers leave.

It is submitted that Mr. and Mrs. Brown had an undisputed right to rent rooms or apartments to diplomatic officials or anyone else they may choose, and that these diplomatic officials had, under our laws and regulations, the right to own and store liquors at their homes, which in this instance was the home of Mr. and Mrs. Brown.

It is further submitted that it was the duty of the police and internal revenue officials to investigate before issuing a warrant or before breaking into a private home, and that had they followed out their plain duty in this instance they could not but have learned that Mr. and Mrs. Brown bore a fair and unblemished character throughout the neighborhood, and that diplomats lived in their home as tenants. As officers charged with the duty of enforcing the laws, they can not but have been aware of the immunity granted diplomatic officials in this and all civilized governments of the world, and that no right existed within the scope of their duty and powers to issue this warrant on the one hand or to serve it on the other hand.

Mr. and Mrs. Brown have both suffered severely because of this brutal and stupid act on the part of said officials. They both became ill and finally had to abandon their laundry in which they had invested $10,000. The son became much worse and his convulsions have increased in intensity and frequency. Mr. Brown became ill with pneumonia as a direct result of this act of brigandage, and for weeks lay at death's door. The expenses of this illness were considerable. Mrs. Brown has been under the care of physicians continually, and is to-day almost a nervous wreck.

Added to their physical suffering is the reputation they have had thrust upon them. They are called "bootleggers," even the children and servants of neighbors frequently taunting and speaking of them and their children as "bootleggers."

Mr. and Mrs. Brown feel that this outrage and insult has damaged their health and fair name, as well as that of their children, and that they are entitled to a published apology from both the Internal Revenue Bureau or the Secretary of the Treasury and the Commissioners of the District of Columbia, as well as damages in money from the United States for the wrong and injury done them, their children, and their property.

Respectfully submitted in behalf of Mr. and Mrs. J. M. E. Brown.

JOHN STUART HUNT.

FLORIDA EAST COAST CAR FERRY CO.

Mr. GREEN. Mr. Speaker, I ask unanimous consent to return to Calendar No. 543 (S. 445) for the relief of the Florida East Coast Car Ferry Co.

The SPEAKER pro tempore. The gentleman from Florida asks unanimous consent to return to the bill (S. 445), Calendar No. 543. Is there objection?

There was no objection.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and is hereby, authorized and directed to pay to the Florida East Coast Car Ferry Co., a corporation, out of any money in the Treasury not otherwise appropriated, the sum of $6,971.45 covering entrance and clearance fees and tonnage tax erroneously collected by the customs authorities at Key West, Fla., during the period from September 24, 1922, to May 28, 1924, and in violation of section 2792, Revised Statutes, as amended by the act approved May 28, 1908 (35 Stat. 424), and section 441 of the tariff act of 1922.

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

A motion to reconsider was laid on the table.

JOHN LEWIS BURNS

The next business on the Private Calendar was the bill (S. 1852) to correct the naval record of John Lewis Burns.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. TILSON). Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy be, and he is hereby, authorized and directed to correct the naval record of the late John Lewis Burns, gunner, United States Navy, to show that his death on August 6, 1918, while attached to the U. S. S. *North Carolina,* was incurred in line of duty and was not due to his own misconduct.

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

A motion to reconsider was laid on the table.

M. LEVIN & SONS

The next business on the Private Calendar was the bill (S. 2438) for the relief of the firm of M. Levin & Sons.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection.

Mr. HICKEY. I object.

CHARLIE M'DONALD

The next business on the Private Calendar was the bill (S. 2788) for the relief of Charlie McDonald.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HICKEY. I object.

ROBERT C. OSBORNE

The next business on the Private Calendar was the bill (S. 3722) for the relief of Robert C. Osborne.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the United States Treasury not otherwise appropriated, to Robert C. Osborne the sum of $5,000 in full compensation for his services rendered to the United States Government by the arrest in 1918 of Victorio Cabellero, who murdered the postmaster and robbed the United States post office at Tecate, Calif., on March 14, 1914, and for which crimes he was convicted of murder in the first degree and is now serving a life sentence.

With the following committee amendment:

Page 1, line 6, strike out "$5,000" and insert "$2,000."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

BIRTHPLACE OF ANDREW JACKSON

Mr. STEVENSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD on certain rights of South Carolina.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from South Carolina?

There was no objection

Mr. STEVENSON. Mr. Speaker, having obtained leave to extend my remarks on certain rights of South Carolina, I hereby do extend them on the right of South Carolina at least to argue that Andrew Jackson was born in South Carolina, the romantic and free-hand historian, John Trotwood Moore, to the contrary notwithstanding. I am indebted to Mr. A. S. Salley, jr., secretary to the Historical Commission of South Carolina, for the collection and arrangement of the facts herein recited, which certainly demonstrate that Mr. Moore was either woefully ignorant of many facts or exceedingly careless in his statement.

The effusion of Mr. John Trotwood Moore respecting the birthplace of Andrew Jackson, which the gentleman from North Carolina [Mr. HAMMER] had printed in the CONGRESSIONAL RECORD of May 24 contains nothing not heretofore in evidence in the discussion, and shows a decided dependence on the imagination for both facts and explanations thereof.

The explanation of the boundary-line matter given by Mr. Moore is entirely at variance with the records in the case. The dispute resulting in a survey, which he says "was ratified by the general assemblies of both States on November 2, 1815," had nothing to do with that portion of the line which passed through the Waxhaws, and in no way affected the question of the boundary line in its relation to the birthplace of Jackson. In 1772 the boundary line from a point on the Charles Town and Salisbury road 1 mile southeast of its crossing of Waxhaw Creek to the northern extremity of the Cherokee boundary line on Tryon Mountain was agreed upon by commissioners on the part of the two Provinces, was approved of by the general assemblies of the two Provinces, and approved by the Government of Great Britain, and has been the occasion of no dispute between the Carolinas since.

During the Revolution the Cherokee Nation was twice invaded by South Carolina forces, and after the last invasion, in 1783, the Cherokees were entirely driven out of the State and all of their lands confiscated and opened up to settlers. Georgia claimed that portion of their former territory lying between the Toogaloo and Keowee Rivers and south of the thirty-fifth parallel of latitude but by a conventional agreement with South Carolina, in 1787, relinquished that claim. The settlements along the mountain ridge west of the terminus of the line of 1772 were so sparse that it was not until 1808 that the States of North and South Carolina undertook the work of extending the line of 1772 to the Chattooga River, which, above its junction with the Toogaloo, was the boundary between South Carolina and Georgia.

In July, 1808, commissioners on the part of the two States met in Columbia and adjourned from time to time until July 20, 1813, when they met at the terminus of the line of 1772, and, after working on the line "to the western extremity of the State of South Carolina" until September 4, 1813, reached an agreement at McKinney's, on the Toxaway River, and signed it up and reported to the general assemblies of their respective States. On the 21st of December following, the General Assembly of South Carolina ratified the agreement. North Carolina was not satisfied with the line agreed upon and called for further parley. Commissioners on the part of the two States were appointed and met on North Pacolet River September 11, 1815, and worked over the matter until November 2, 1815, when they reached an agreement. South Carolina's General Assembly ratified the agreement December 15, 1815. This line was 24 miles and 189 poles in length. The agreements respecting this piece of line are to be found in the first volume of Statutes at Large of South Carolina, pages 416–421, and will be found to differ from the representations of Mr. Moore in more particulars than have been here pointed out.

Mr. Moore says that—

at the time of his birth, March 15, 1767, there was grave doubt about the line, and when it is remembered that it was admitted on both sides that the line run in 1737, 30 years before Jackson was born, was 11 miles short of reaching the thirty-fifth degree of north latitude, to which the surveyor had been instructed to run, thus producing a triangle with an hypotenuse following 11 miles from the true point of a straight line north and south within the true line as established November 2, 1815, and the false hypotenuse as run in 1737 was an area 5 or 6 miles in extent, in which on one side or the other of the line close to it were located the homes of the five Hutchison women.

That is a labored and confused display of the utmost ignorance of the whole boundary feature of the case. The agreement entered into by commissioners on the part of the two Provinces in 1735 was that the line should—

begin at the sea, 30 miles distance from the west side of the mouth of Cape Fear River—

That—

from thence a line be run on a northwest course to the latitude of 35° N. and from thence due west to the South Seas—

That—

if the said line shall take in any part of the nation of Indians called the Cherokees or Catawbas, then such line shall be set off so as to include said Indians within the government of South Carolina until such line shall again come to the latitude of 35°, and from thence a due west course as before.

In the same year the commissioners ran the line "in a northwestwardly direction" for about two-thirds of the distance to the thirty-fifth parallel. In 1737 a surveyor was employed to continue it in the same direction to the thirty-fifth parallel. He reported that he had completed the work and had erected a stake in a meadow at the terminus of the line. The governors of both Provinces believed that that stake was on the thirty-fifth parallel and governed themselves accordingly. For some years after that point on the boundary had been fixed very few settlers secured grants in that vicinity and most of such grants were issued by the Governor of North Carolina, who, believing that stake to be on the thirty-fifth parallel, guessed that lands which he granted out were situated north of a direct line west from that point. In many instances his guesses were wrong and the lands which he granted were subsequently found to lie south of such a line.

He also granted out thousands of acres of land lying between that supposed location of the thirty-fifth parallel and the parallel itself.

In the autumn of 1763 a conventional agreement was arranged at Augusta, Ga., between the several governors of the four southern Provinces, and John Stuart, His Majesty's superintendant of Indian affairs for the southern Provinces of North America, and the several nations of Indians of the said Provinces, and under the terms of that agreement the Catawba Indians were allotted a reservation 15 miles square extending to both sides of the Catawba River below the junction of its two forks. This tract was surveyed out early in 1764 by Samuel Wyly. The proceedings at Augusta have been published and Wyly's survey is in the office of the Historical Commission of South Carolina.

By 1764 settlers had begun to take up lands in the upper parts of the present counties of Marlboro, Chesterfield, Lancaster, and Chester, in South Carolina, and it became desirable to have the line established westward from the terminus of the line of 1737 along the supposed thirty-fifth parallel. The two Provinces agreed upon surveyors and the line was taken up at the stake of 1737 and run due west 64 miles. When the surveyors reached the Charles Town-Salisbury public road it was discovered that the line just run did not coincide with the thirty-fifth parallel but was over 11 miles south thereof. It was then late in the spring and the surveyors objected to running a new line in summer and reported the matter to the Governor of South Carolina, who passed the matter on to the Board of Trade in London.

In April, 1771, the Board of Trade petitioned the Crown for permission to instruct the Governors of North and South Carolina to appoint commissioners to continue the line along the Charles Town-Salisbury road to where it entered the Catawba Nation; thence along the southern, eastern, and northern boundaries of said reservation to the intersection of the northern line with the Catawba; thence up the center of the river to the confluence of the two branches thereof; thence due west to the Cherokee boundary line, and to make such line and the line run in 1764 the final boundary line. His Majesty approved of the suggestion, and in May, 1771, issued orders to the governors of the two Provinces to appoint commissioners to carry the proposal into effect. The governor of each of the Provinces appointed two commissioners and two surveyors, and the survey was taken up at the confluence of the two forks of the Catawba River in latitude 35 degrees 8 minutes north, and was run due west on that parallel until it reached the Cherokee line on Tryon Mountain, a distance of 65 miles. As the public road from the western terminus of the line of 1764 to the point where the road crossed the southern boundary line of the Catawba Reservation was the only part of the boundary thus established which did not require staking and blazing, the commissioners merely defined that road as the line.

The survey was approved in England. By that arrangement the strip of land lying within the line of 1764, the thirty-fifth parallel, the Charles Town-Salisbury road and a part of the Catawba boundary and the extension of the line of 1737 was traded to North Carolina for a like strip lying within the thirty-fifth parallel, the Catawba River, the line of 1772, and the Cherokee line. It embraced a small corner of the present county of Mecklenburg, a near parallelogram of the present county of Union, a parallelogram of the present county of Anson, and a triangle of the present county of Richmond, in North Carolina. The latter triangle is the only one involved in the error of the surveyor in 1737, and the only hy-

potenuse involved is that which is made by the northwest line, which the said surveyor should have carried on to the thirty-fifth parallel. In that little strip, about 64 miles long and over 11 wide, lay the land once owned by George McKemey, whereon Mr. Moore says Jackson was born. McKemey had bought it from Repentence Townsend, whose deed thereof was dated January 13, 1766. It had been granted to John McCane January 13, 1761, by the Governor of North Carolina under the belief that it lay north of the thirty-fifth parallel. As a matter of fact it became North Carolina territory only after the trade in 1772, which was five years after the birth of Jackson. McCane had sold it to Townsend April 10, 1761. The grant is recorded in Raleigh, the deeds in Charlotte.

But Jackson said in 1824:

I was born in South Carolina, as I have been told, at the plantation whereon James Crawford lived, about 1 mile from the Carolina road crossing of the Waxhaw Creek; left that State in 1784; was born on the 15th of March in the year 1767.

He showed the accuracy of the experienced lawyer in making his statement. He likewise showed accurate knowledge of location. James Crawford did not own the place at the time of Jackson's birth, as shown by the following certificate attached to a plat of the "plantation," which is recorded in Raleigh:

Surveyed for James Crawford 110 acres of land in Mecklenburg County, on the north side of the Waxhaw Creek,, joining Archibald Crocket's land, including the improvement he now lives on; beginning at a hickory joining Robert Crawford's land, and runs north 20° W., 130 pole, to a white oak said Crocket's corner; thence north 45° W., 30 pole, to a hickory, Linn corner; thence with his line south 67° W., 154 pole, to a black oak joining McCulloch's land; thence south 67° E., 85 pole, to a white oak; thence south 35° E., 126 pole, to a black oak by a branch; thence to the beginning. September 12, 1768.

PETER JOHNSTON.

It will be observed that although this was a year and a half after the birth of Jackson, Crawford and the public officials of North Carolina believed this tract of land to be in North Carolina, and they did not learn that it was in South Carolina until 1772, when the public road from the western terminus of the line of 1764 to the Catawba line was agreed upon as the boundary line.

This tract lay on the west side of the road and south of the thirty-fifth parallel, and therefore was never legally in North Carolina. On November 22, 1784, Thomas Crawford conveyed this tract of land to William Wren, reciting that it was—

a tract of land originally granted to Joseph Crawford, joining Archibald Crocket's land, including an improvement.

This tract had been, with other lands, conveyed to Thomas Crawford June 1, 1774, by—

James Crawford and Jennet, his wife, for and in consideration of the sum of 2 shillings sterling to him in hand, paid by said Thomas Crawford, his son, at and before the sealing—

And so forth. The deed from James Crawford to his son, Thomas, and that from Thomas to Wren, were both executed after the land trade of 1772, and so were recorded in South Carolina. Adjoining this tract to the south was a larger tract of 551 acres which the Governor of North Carolina had granted to Andrew Pickens, April 13, 1752, under the impression that it was north of the thirty-fifth parallel and in North Carolina. By his will, made November 4, 1756, Pickens bequeathed it to his sons Andrew and Joseph, who, by deed dated March 4, 1763, conveyed the same to Robert and Joseph Crawford, reciting that they were—

in the county of Mecklenburg and Province of North Carolina—

And that—

Robert and Joseph Craford—

Were also—

in the county and Province aforesaid.

The grant and will are on record at Raleigh, the deed at Charlotte. By some agreement between Robert and Joseph Crawford not yet revealed by the records Robert acquired the interests of Joseph upon his death, shortly after this purchase, and in 1775 Robert, having found that his plantation was in South Carolina and had never been in North Carolina, took out a grant for it in South Carolina, and upon the resurvey it was found to contain 620 acres. The little tract of 110 acres adjoining, which Joseph had evidently contemplated taking out a grant for, was evidently passed on by Robert to his brother James, who had been living on it, and he secured the grant heretofore recited. These records not only show that Mr. Moore's investigations among the hills and dales and traditions of the Waxhaws were worthless, but that the witnesses who stated that they had heard old people say that Jackson was born at the McKemey house in North Carolina and that later his mother moved across the line to the Crawford house in South Carolina were putting words into the mouths of those old people that they had never uttered. Not one of those old people had the faintest idea but that both houses were in North Carolina. As a matter of fact, both houses were in South Carolina at the time of Jackson's birth and McKemey's was thrown into North Carolina by the trade of 1772.

If these hearsay witnesses as to what the old people said had heard aright what was said on the subject, they would not have made so many errors that do not harmonize with numerous available records. The boundary-line muddle would have confused them beyond their abilities to invent explanations if they had ever known the slightest thing about that. No confusion about the boundary line has brought about a difference of opinion about Jackson's birthplace. That was brought about because after his great victory at New Orleans in 1815 tongues began to wag as to the spot where he was born. All of the members of his family who were alive at the time of his birth were dead in 1815, and there were very few people alive who had lived in the Waxhaws in 1767. Among those the belief existed on common repute that Jackson was born in South Carolina on the Crawford place. Among these was Gen. William Richardson Davie, who was nine years older than Jackson, and who had been raised up in the Waxhaws, where his uncle, Rev. William Richardson, for whom he was named, was the minister of the Waxhaws "meeting." He was living in North Carolina and had been governor of that State.

Some one evidently advanced the claim in 1815 that Jackson was born in North Carolina—place not specified—and a former resident of the Waxhaws appealed to General Davie to sustain his claim that Jackson was born in South Carolina, and General Davie assured him that Jackson was born in South Carolina, and General Davie's statement was published in the City Gazette and Commercial Daily Advertiser of Charleston for March 27, 1815.

In 1820 James Thonaldson, of Philadelphia, presented a bust of Jackson to the legislative library of South Carolina, and a committee, composed of one member of the senate and two members of the house, was appointed to draft suitable resolutions of thanks therefor. One member of the committee was R. M. Crocket, of the Waxhaws, where his family had resided since before the birth of Jackson. In the resolutions the committee felicitated the general assembly upon the fact that there were so many causes of gratification to South Carolinians in the life of Jackson, especially that—

he, whose nativity has been the cause of rivalry for contending States, is acknowledged as our own.

In 1820 John Boykin, a surveyor, who was a native of that section of South Carolina and had spent much of his life surveying the lands of that section, made a thorough survey of Lancaster district under contract with the State and under the supervision of Robert Mills, one of the most famous architects and engineers of the United States. Mills had served on Jackson's staff at New Orleans and, having had it from Jackson's own lips that he was born in South Carolina, had Boykin to locate the exact spot, which was the James Crawford house—

about 1 mile from the Carolina road crossing of the Waxhaw Creek.

The map was published in Mills's Atlas of South Carolina, which is a standard work, and the location of Jackson's birthplace thereon was done officially by a person who was guided by his surveyor's instruments and his scientific knowledge of the country about, and who knew what the substantial people of the Waxhaws settlement had had to say about the matter for the preceding five years. Mills submitted the map to Jackson and he stated in writing to Mills that the location was correct, all of which showed it is not true that Boykin—

arbitrarily placed a cross at a certain place on a supposed road and called it Gen. Andrew Jackson's birthplace—

as Mr. Moore states. He placed it on a map which has always been found singularly correct by surveyors, and which Jackson so pronounced, and exactly marked the house on the James Crawford plantation, which the official records of North and South Carolina have fully and accurately located, and on a road which had been established by legislative act, and had been in existence for some years before Jackson's birth, and was the post route from Charles Town to Salisbury. This road was there when the line of 1764 was run, and is given on Mouzon's map, published in 1775. Mouzon had made a survey and map of the Province of South Carolina under contract with the general assembly.

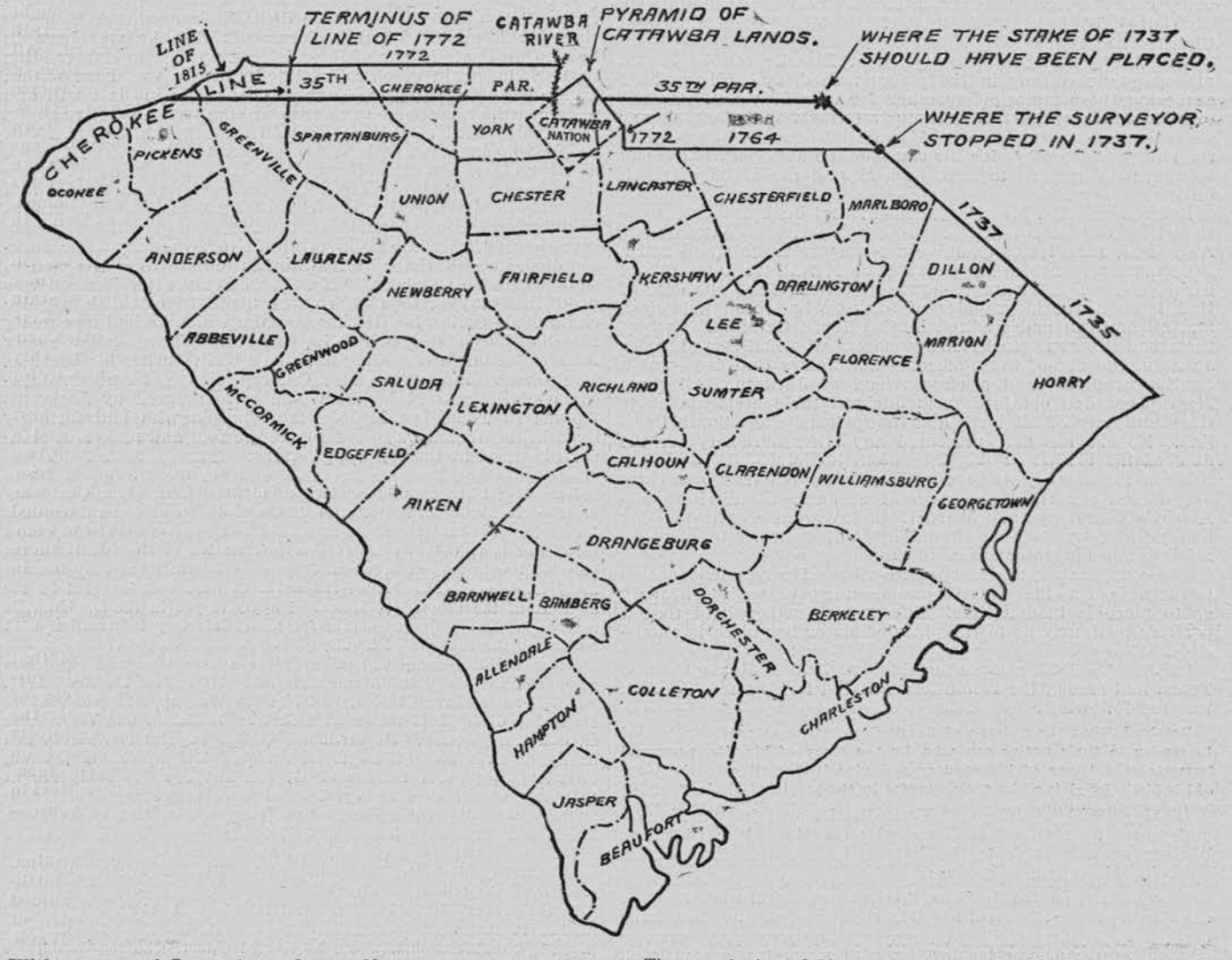
The Crawford lands lay to the west of that road, and the road was the eastern boundary of the greater part of them. Moreover, there was a conventional agreement between North

An inspection of Jackson's reply, which has already been published in the CONGRESSIONAL RECORD and has been recently published in the third volume of Doctor Bassett's Correspondence of Andrew Jackson, will show that it was much more than a polite answer to a gentleman's letter, as Mr. Moore would have his readers believe. He wrote that he felt "a lively interest in your prosperity and that of your family." He wrote affectionately of "my native State," and regretted that he had not been able to revisit—

the friends of my juvenile days who may still be living—

and expressed pleasure at hearing from Witherspoon, because his wife was a—

descendant of a distant relation by marriage, for whom I had a sincere regard, being raised together.



Witherspoon, of Lancaster, whose wife was a granddaughter of Robert Crawford, and who was cognizant of the family tradition that her kinsman had been born on the Crawford place, wrote to Jackson and specifically asked for a statement as to his birthplace.

That letter and several others in existence prove the falsity of Mr. Moore's statements that—

Jackson cared little about his birthplace and never mentioned it until 1824, when he became a candidate for President, and in politeness answered the letter of Joseph [sic] H. Witherspoon as to where he was born—

And that the—

question of his birthplace was never a happy theme to Jackson.

In December, 1815, the General Assembly of South Carolina, during its first session after the Battle of New Orleans, adopted resolutions of appreciation of Jackson's services. These resolutions were forwarded to Jackson by Governor Williams, and in his reply, dated at "Headquarters, Division of the South, Nashville, February 9, 1816," Jackson wrote:

and South Carolina, entered into in 1808, by which the winding and shifting road from the western terminus of the line of 1764 to where it crossed the southern boundary of the Catawba Reservation was discarded as the boundary and a straight line from the first-named point to the southeastern corner of the Catawba Reservation was substituted as the boundary. The commissioners on the part of the two States ran out and blazed the line and made a map thereof in 1813, which sustains Mills's map by showing the homes of two of the sons of Robert Crawford on the left of the road or former line. These two homes were on the Robert Crawford property, which adjoined James Crawford's tract on the south, as shown by the plat and surveyor's certificate heretofore recited.

When Jackson was a candidate for the Presidency in 1824 the question of birthplace was again brought up, and Col. James H.

The approbation of his country is certainly the richest reward for the exertions, toils, and privations of a soldier and a patriot. This approbation, so kindly expressed by the unanimous voice of the representation of that State which gave me birth, and to which you, as the chief magistrate, are pleased to add yours, heightens my gratification on the present occasion toward a grateful country.

In 1819 a biography of Jackson by S. Putnam Waldo was published, and therein the statement was made that Jackson was born in South Carolina. Seeing that statement, Thomas Watson, of Baltimore, wrote to Jackson and asked him if that statement was true. Jackson's reply bears the postmark of Nashville, and is dated at the Hermitage, March 4, 1820, and is as follows:

Your letter of the 12th February has been received, in answer to which I do myself the pleasure to inform you that I was born (as stated by the author of the work you have mentioned) in the State of South Carolina on the 15th of March, 1767.

That letter was published in the New York Times of November 4, 1927, and on November 7 the Times said editorially:

Old Hickory stated that in South Carolina he was born, and unless some modern can be found who knows more about it than the general did, a South Carolinian he definitely is.

Of course, Mr. Moore is the modern who knows more about it than the general did. He went to a picnic gathering in the Waxhams and met—

a large delegation composed of citizens of both States—

Who knew nothing about any phase of the matter, and from—

personal investigation and first-hand information—

Out there in the highways and byways learned it all. He spent—

portions of two days and nights in that vicinity.

How many official records did he examine out there? How many hours' work did he put in among the records in Raleigh, Charlotte, Wadesboro, Lancaster, Camden, Columbia, and Charleston?

Material substantiating every claim I make can be shown among public records in the places named, and I have been gathering those materials together for over 25 years. On the other hand, those materials conclusively show that almost every statement alleged to have been made by hearsay witnesses in the hands of attorneys for the cause of the McKemey house can be shown by records to have been beyond the realm of possibility.

Reverting to Mr. Moore's statement that Jackson never mentioned his birthplace until he wrote that letter to Witherspoon, August 11, 1824, let us examine a few more records and add a little more evidence to show how little Mr. Moore knows about a subject he affects expert knowledge of. Prior to the date of that letter three biographies of Jackson had been published, and all of them had credited him to South Carolina. Two of them had been written by Army officers who had served under Jackson, and one of those officers—Col. James Gadsden—was a South Carolinian and a close friend of Jackson. All three biographers had obtained from Jackson the statements as to time and place of his birth and time when he left South Carolina. No one has ever presented any other authority for the date of his birth and the date when he left South Carolina. None of the hearsay witnesses who alleged that they heard two old women say they were present at Jackson's birth in McKemey's house say they heard them say what month and day and year it was. Why should his statement as to place be rejected and his statement as to time accepted?

The courts take just the opposite view. Hearsay evidence as to the time of a child's birth is admissible evidence, but hearsay as to place is inadmissible. The courts further hold that a person's testimony as to the place of his or her birth is admissible.

On July 28, 1823, a large meeting was held in Roane County, Tenn., and among the resolutions adopted in behalf of Jackson was the following:

Resolved, That the citizens of South Carolina be respectfully invited to render to their native son who, by the glory of his life, preserved immortal the honor of his country and give immortality to the place of his birth, by giving him their support in the presidential election.

In May, 1824, a citizen of York district was in Washington and wrote to a friend at home who contributed to the York Pioneer an extract from the letter which concerned Jackson, wherein this language occurs:

He was born on the Waxhaw Creek, Lancaster district, S. C., 4 miles up from the river, and left that place in 1784. He made many inquiries respecting the citizens there, but there were only three persons out of the number inquired for with whom I was acquainted, viz, Mrs. Massey, Mr. Foster, and Mr. White.

Those are familiar names in the contemporaneous records of the Waxhaws.

We have all of these references by Jackson, his friends, his biographers, and the public officials to Jackson's birth in South Carolina, all made prior to the letter to Witherspoon, but we can find no publicly made claim prior to the date of that letter that he was born in North Carolina.

We find several instances where public refutations of such a claim were made, but no specific claim that would have called for explanation or denial by Jackson or surviving elders. The Charleston Courier of November 10, 1824, republished the following communication on the subject from the Columbia Telescope, which, so far as the writer has been able to discover, is the earliest presentation of the claim for the McKemey house:

MESSRS. EDITORS: There has been much uncertainty in regard to General Jackson's birthplace; some asserting that he was born in North Carolina, others—amongst whom is his biographer, Reid—that he was born in South Carolina, and others that he is a native of Ireland. I am glad that I have it in my power to settle this question. General Jackson was a posthumous child. After the death of his father, his mother, who was poor, went to reside with her brother-in-law, a Mr. McAmey, who lived on the right-hand side of the road leading from Lancaster to Charlotte, which at that place is the boundary between the two States. General Jackson was born at the house of Mr. McAmey, and therefore in the State of North Carolina. When he was about 6 weeks old his mother removed with him to the house of Mr. James Crawford, another brother-in-law, on the South Carolina side of the road. K.

Here was a man who contended that there was "much uncertainty," despite Jackson's positive statement, as to the place, and who professed the ability to settle the question, but proceeded to "settle" it merely by making a statement uncorroborated by any person who was present at his birth or by any contemporaneous records. That is the germ from which has grown the positive proof that Mr. Moore alleges he has discovered. Between 1824 and 1845, when he died, Jackson stated 15 or 20 times in letters and public documents that he was born in South Carolina. In one of these letters, written to Robert Mills in 1827, he again specifically stated that he was born within 1 mile of the crossing of Waxhaw Creek. In his last will and testament he asserted that South Carolina was his native State. It was not until after he was dead that the hallucinations of people who knew so little of the family history of the persons discussed as not to know the spelling of McKemey's name or his first name bobbed up again. The tombstone to McKemey and his wife in the Waxhaw churchyard furnished one substantial exhibit for anyone capable of intelligent and comprehensible investigation. Mr. Moore asserts that it "was only after Jackson died, in 1845, that any real authentic data were collected to show where he was born." No. It was only after Jackson was dead that any serious effort was made to establish a false claim made during his lifetime, a claim which he had repeatedly repudiated by stating where he was born. It was not the only false claim made regarding Jackson's birth during his lifetime. The third volume of Bassett's Correspondence of Andrew Jackson contains several letters which were secured by Jackson's friends in Tennessee in 1828 from people who had formerly lived in the Waxhaws to controvert the foul and malicious slander discussed in the following letters:

CINCINNATI, *July 7, 1828.*

DEAR SIR: I know you by reputation only, and from a recent notoriety attached to me, as an investigator of the character of General Jackson, I may presume that my name may have met your eye. The object of this letter is to obtain some further information of that distinguished individual with respect to whom I begin to believe there have been as many impostures palmed upon the world as were ever invented by the disciples of the Prophet of Mecca. I apply to you in the hope that it may be in your power to obtain for me satisfactory information with respect to the subjects of inquiry.

Eaton in his biographical eulogy gives a very lame and suspicious account of the hero's origin and early life. He locates his birth, 1767, some 40 miles above Camden, S. C., in the Waxhaw settlement, where his father died. This father he makes an Irishman, and the mother an exemplary woman. He attributes various exploits to Andrew, and finally deprives him of his mother, makes him waste his paternal estate, and, at about the age of 17, sets him down to study law at Salisbury with Spruce McCay, Esq. I have before me a statement giving a very different account of the parentage of Jackson, of which I wish to ascertain the truth.

William Rogers, an aged and, as I am informed, a respectable man, a resident of this State, has made and submitted a written statement comprising the following facts:

In the year 1759 or 1760 a General Daubbs or Dobbs was sent from England with a detachment of troops and stationed on the Catawba River in North Carolina, where he erected a fort, who remained some time. This detachment was accompanied by two women of the camp—Fanny Jenings and Isabel Moore—who, when the troops removed, remained in the neighborhood, where they lived and died. After the departure of the troops Fanny had a mulatto child, a boy, which she sold to Moses Purviance. Subsequently she had a second child, a boy also, who was reputed to be the son of a mulatto quadroon slave to James Grenaway, of Burke County. At the September term 1767, at the court of Burke County, the child being a pauper, unprovided for, was taken from the mother, named Andrew Jackson by the court, and bound to a lawyer named Avery or Emory, who was afterwards a colonel, and who was then a resident of Pleasant Garden in Burke County, and in order to have the child baptized a Doctor Bushall became his godfather. He was named Jack's son by the court because his supposed father was named Jack. In support of the account Rogers refers to the names of Gen. C. McDowell, Arch Sloan, George Lackey, and David Smith. He states further that Fanny Jenings, the mother, was at times a spinster in his father's house; that Jackson went to school to a John Mongomery. That when a boy he knew him personally; that he has seen him since at Jonesborough in Tennessee sitting as a judge, and was recognized as an acquaintance of his juvenile years by Jackson.

Perhaps you may think at first sight that it is entirely immaterial who were Jackson's parents and what the condition of his birth. This would be so had the truth always been told about it. But so much of imposition has been attempted and so much affected with respect to this man that I deem it important to detect and expose it wherever it can be done. Besides this, if the account here given of his origin be the true one, it is important it should be known, not only to do away with the pretense of his suffering and service in the Revolutionary War but also to explain the coarse brutality of his nature, which might very naturally be expected from such parentage and nurture.

If for any reasons you decline making the inquiries here suggested, I will thank you to inform me of it, and I would be glad could you suggest me a channel through which they can be made.

I send this under cover to Mr. Watkins, not having your address, with a request that he will address it to you.

Respectfully yours,

C. HAMMOND.

CINCINNATI, *July 7, 1828.*

DEAR SIR: The inclosed letter, addressed to Mr. Gaston, will explain itself. I wish you to peruse it, and if you know of any facilities for obtaining the information sought lend your assistance. Please put it in an envelope and address it to Mr. Gaston.

We retain our spirits here on the subject of the great contest. The canvass in Kentucky is very active and our friends full of confidence. Barry made a speech on Friday opposite to us, but with very little effect. It was but a vapid reiteration of the old lies so often refuted.

There are some apprehensions for Indiana. There is a want of concert, and have been some bad movements in that State. Tart and not Smith should have declined. Moore ought to have opposed Ray for governor. There is not a Jackson candidate in the field.

Yours sincerely,

C. HAMMOND.

T. WATKINS, Esq.
(On reverse side:)
Private. Tobias Watkins, Esq., Fourth Auditor, Washington City.
C. W. HAMMOND.
Received and answered July 14, 1828.

That is a fair illustration of how history can be made by the vagaries of the ignorant, the depraved, and the vicious. There was not the same viciousness in the attempt to prove Jackson a son of North Carolina as that to prove him the son of a "nigger," but there was equally as much ignorance and stupidity in it. Every side light turned upon the claim by its promoters reveals their ignorance of the history of the Waxhaws, of the political subdivisions affecting that section, of the conditions under which settlers secured lands, of the time and manner in which the settlers came in, of the personnel of the settlement, and of the family history of the chief characters in this episode in our history.

To illustrate: Mr. Moore, speaking of Jackson's father's land on Twelve Mile Creek, says—

he was only able to pay $70 on this land, not enough to take it out of the entry office.

If he found any such record in North Carolina he has found something unique. The usual procedure for a new settler to procure lands was to petition His Majesty's Council for North Carolina for an allotment in compliance with the bounty land law of that Province. If entitled to the land, the council would direct the surveyor general to have it surveyed out to him. A plat and grant, with a certificate similar to that quoted in James Crawford's case, was issued and the settler became the owner of the land. The charge therefor, if any, was but a shilling or so for the recording official. The consideration of $70 in 1765, when pounds, shillings, and pence, either in sterling or currency of the Province, was the common money of the Province, would have been most remarkable.

General Walkup whose work on this subject is regarded by Mr. Moore and others as most convincing states that he was unable to find any record in either the courthouse at Charlotte or that at Wadesboro—seat of Anson County—that the elder Jackson ever owned any land, and opined that he was a squatter. In view of what the writer hereof has found in the courthouse in Charlotte, he can not regard the investigations of either Mr. Moore or General Walkup as worthy of much respect. There is recorded in deed book 20, pages 21–22, in the office of register of deeds, an indenture "made the 17th day of December," 1770, between Thomas Ewing and Sarah, his wife, of Berkeley County—

and Province of South Carolina, of the one part, and Hugh Robert and Andrew Jackson, of the county of Mecklenburg and Province of North Carolina, of the other part, witnesseth that the said Thomas Yewing and Sarah, his wife, for and in consideration of the sum of 14 pounds current money of North Carolina, to them in hand paid by the said Hugh Robert and Andrew Jackson, the receipt whereof the said Thomas Yewing, and Sarah, his wife, doth hereby acknowledge and themselves fully satisfied, contented, and paid, and for other good causes and consideration of them thereunto moving, he, the said Thomas Yewing, hath granted, bargained * * * unto the said Robert Hugh and Andrew Jackson a tract of land containing 200 acres, being in the county and Province aforesaid, on the waters of Twelve Mile Creek, on Leggits Branch, beginning at a white oak, south side of the creek, by a small branch, and runs thence north 106° 180 poles to a red oak by a small branch, thence north 80 west 180 poles to a red oak, thence south 10 west 180 poles to a red oak, thence to the beginning, by virtue of a patent bearing date the 21st day of September, 1766.

That deed is indexed under Andrew Jackson. It was—

proved in open court by the oath of James Crafford, a subscribing witness, at the April assizes—

in 1775, and the court ordered that it be registered as shown by the minutes of the court for Friday, April—after third Tuesday—1775, page 46. General Jackson sold this tract of land many years later, when a citizen of Tennessee.

Mr. Moore states that Jackson's mother was one of six Hutchinson sisters—

who had married, the most of them in north Ireland, and emigrated to America; and all settled in the Waxhaw settlement * * *. As stated, all of these built cabin homes within 4 or 5 miles of each other at the farthest, nearly all on lands touching Waxhaw Creek, except one, Andrew Jackson, sr., the last to come from north Ireland with his wife, Elizabeth Hutchinson, and their two little boys, Hugh and Robert.

Mr. Moore is evidently unaware of the fact that the records of North and South Carolina sustains him only as to the places of residence of James Crawford and George McKemey. By those records we are able to show every tract of land granted out in that settlement prior to Jackson's birth, and who owned them at that time. These records eliminate James Crow and John and Samuel Lessley—their own spelling—as landholders within 2 or 3 miles of McKemey in 1767. The Council of South Carolina considered a petition from James Crow for a warrant of survey for 350 acres of land in the Waxhaw settlement August 4, 1767, after Jackson's birth, it will be observed. The survey was certified December 7, 1768, and a grant thereto issued November 27, 1770. This tract lay on Muddy Run, and was not "within 4 or 5 miles" of McKemey and Crawford. Had it been, the grant would have been made by North Carolina.

The Council of South Carolina issued a precept October 7, 1766, to William Glascock to lay out for "John Lesslie," 150 acres—

on Molly Moor's branch of Camp Creek, in the Waxhaws settlement.

The survey was certified October 16, 1766, ordered continued February 3, 1768, and granted October 22, 1768. That was more than 5 miles from James Crawford's, and his place was over 2 miles nearer thereto than McKemey's place. No record has yet been found in either of the Carolinas to show Samuel Lessley as a landowner in that section prior to the Revolution. John served in the militia of South Carolina during the Revolution, and his signature to his receipts for pay is John Lessley, and he dates an order "Waxhaws, January 20."

If Samuel Lessley lived in the Waxhaws prior to the Revolution he owned no land. If he lived there during the Revolution his place of residence was evidently on the North Carolina side of the line. There is no record of pay issued to him as is the case with John Lessley and all other landholders in the South Carolina section of the Waxhaws.

Mr. Moore says it—

was finally decided among the sisters that their sister, Jane Crawford, being childless and a semi-invalid, that Betty and her two little boys should be taken there.

It has already been shown that James and Jennet Crawford deeded their first tract of 110 acres, with the improvement thereon—the house in which Jackson was born, as he himself stated—to their son Thomas in 1774. By deed dated March 1, 1780—

James Crawford, sr., of St. Marks Parish, Craven County—

Conveyed to—

James Crawford, jr., his son, of the parish, county, and State aforesaid—

one hundred and fifty acres from a tract of 300 acres which he had bought of James Gamble December 12, 1772. This is recited in a deed from the younger James and Christiana, his wife, October 14, 1796, which is on record at Lancaster in book B, 329–330. The will of "James Crafford of the Waxhaws, S. C.," made September 25, 1776, is on record in the probate court in Charleston. He mentions sons George,

James, and Alexander, and daughters Margaret, Mary, Jean, and Martha. He also mentions sons John Martin, Isaac Smith, William Henderson, and Thomas Patton, who were doubtless sons-in-law. The daughter Margaret was unmarried. Alexander states in his application for pension in 1832 that he was born in Pennsylvania September 28, 1750. Mr. Moore says that Robert and James Crawford—

moved to America 16 years before Andrew Jackson and Betty had come.

Will he now bring forward a few more tradition-bearing witnesses to dispute Alexander? He further says that Robert and James—

were men of the first importance and standing, leaders in militia service and affairs of the county of Lancaster, S. C., where their plantations lay just 2 miles, or a little more, over the line, according to the survey of 1815.

It has already been shown that when Jackson was born Robert Crawford owned 620 acres in what was supposed to be North Carolina territory and had an equity in 110 acres more that his deceased brother Joseph had planned to have granted to himself; that James was living on this latter tract and later secured a grant for it from North Carolina.

Lancaster County, S. C., did not come into existence until 1785. There was no organized militia in that section then, and not until after 1772. Robert became a major of militia during the Revolution. There were no political subdivisions of any kind in South Carolina in 1767, save the parishes in the low country. There had been four land subdivisions called counties that had been handed down from the provincial nobility arrangement of the erstwhile lords proprietors, which were still used only to describe the location of land. They had no political significance after the passage of the church act in 1706. The eastern part of the province was unofficially still called Craven County to aid in locating lands. To allow the people living east of the Congaree and Broad Rivers to vote in elections for members of the commons house of assembly that section was considered as an unofficial annex to St. Mark's Parish, although the northern boundary of that parish, as established by law, was about 100 miles south of the Waxhaws, and to vote the Waxhaws settlers had to go to the parish church about that distance away.

James Crawford, through grants and purchases, acquired five or six hundred acres of land on both sides of the line between the Carolinas prior to his death, but at the time of Jackson's birth he did not own a foot thereof. Nor is Mr. Moore correct in saying the Crawford plantations—

lay just 2 miles, or a little more, over the line.

As heretofore shown, when Jackson was born the thirty-fifth parallel of latitude was the official boundary line, and that was about 9 miles north of James Crawford's place. When by the arrangement of 1772 the public road through the Waxhaws was made the line, the Crawford lands were right on the boundary line, and when the line from the western terminus of the line of 1764 to the southeastern corner of the Catawba lands was agreed upon in 1808, the Crawford lands were not over a half mile from the line at the most western turn of the road.

Almost every statement of General Walkup's hearsay witnesses can be shown by official records to be contrary to fact. Mr. Moore has merely elaborated upon the Walkup gatherings, and almost every statement he has made has served to mire him deeper into the bog of error.

The writer has no hope that those people who can not be convinced against their wills will ever accept the only admissible evidence ever offered in this discussion, but that evidence, sustained by hundreds of official records relating to the setting of Jackson's birthplace, has been sufficient to convince almost every writer on Andrew Jackson in the last 25 years. Cyrus Townsend Brady, A. S. Colyar, John Spencer Bassett, Thomas E. Watson, Frederick Austin Ogg are all biographers of Jackson who say the evidence favors South Carolina. The New International Encyclopedia (1918) contains a revised sketch of Jackson by Prof. William P. Trent, of Columbia University, and Dr. Newton D. Mereness, in which they say that the evidence favors South Carolina. The latest edition of the Encyclopedia Americana (1919) contains a revised sketch of Jackson by Prof. Marcus W. Jernegan, of the University of Chicago, in which he says the preponderance of evidence is in favor of South Carolina. Judge Samuel M. Wilson, of Lexington, Ky., who delivered the centenhial oration at New Orleans, January 8, 1915, took the same view. In a letter to Representative STEVENSON, dated March 30, 1922, the late Judge H. G. Connor, one of the greatest judges North Carolina has produced, wrote:

MY DEAR MR. STEVENSON: A few days ago in running over the CONGRESSIONAL RECORD to see what our Representatives are doing for us I became interested in your demonstration that Andrew Jackson was born in South Carolina, and read it with interest. I have no doubt that you are correct.

Are they all wrong and Gerald Johnson and John Trotwood Moore alone right? If so, then the Cathey evidence, by which it is in the same manner proven that Abraham Lincoln was born in North Carolina, is correct and the marker on his birthplace in the Occonolufta country is not misplaced. Who believes that?

EDNA E. SNABLY

The next business on the Private Calendar was the bill (H. R. 8859) for the relief of Edna E. Snably.

The Clerk read the title to the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is authorized and directed to credit the account of Edna E. Snably, postmaster at Hollsopple, Pa., in the sum of $1,000, being an amount charged in the postal account due to the cashing of war savings stamps in year 1924, which were found by the Treasury Department to be counterfeit and charged back to the postmaster's account; for which amount the postmaster was in no way responsible, the loss having occurred without fault or negligence on her part.

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

A motion to reconsider was laid on the table.

F. R. BARTHOLD

The next business on the Private Calendar was the bill (H. R. 9659) for the relief of F. R. Barthold.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $3,016.91 to F. R. Barthold, as compensation for the total destruction of a building and other property during a fire accidentally set by a Government employee while in the discharge of his official duties.

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

A motion to reconsider was laid on the table.

RELIEF OF CERTAIN MEMBERS OF THE FOREST SERVICE

The next business on the Private Calendar was the bill (H. R. 12711) for the relief of certain members of a trail crew employed by the Forest Service.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HICKEY. I object.

MAJ. CHARLES F. EDDY

The next business on the Private Calendar was the bill (H. R. 12871) for the relief of Maj. Charles F. Eddy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. HICKEY. Mr. Speaker, I object.

PIERCE DALE JACKSON

The next business on the Private Calendar was the bill (H. R. 12867) granting an honorable discharge to Pierce Dale Jackson.

The SPEAKER pro tempore. Is there objection?

Mr. UNDERHILL. Mr. Speaker, reserving the right to object, the bill that has just been passed over under objection is for a war officer who served with great distinction in the World War.

Mr. KNUTSON. Mr. Speaker, I demand the regular order.

Mr. UNDERHILL. He was to be married, and I think is now on his wedding trip.

Mr. KNUTSON. Mr. Speaker, I demand the regular order.

Mr. CLARKE. Mr. Speaker, a parliamentary inquiry.

The SPEAKER pro tempore. The gentleman will state it.

Mr. CLARKE. I would like to know whether it would be according to parliamentary procedure to call the attention of gentlemen to the Scriptural adage, "Possess thy soul in patience"?

The SPEAKER pro tempore. That is not a parliamentary inquiry. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Pierce Dale Jackson, who was a member of the One hundred and forty-

first Ambulance Company, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 21st day of March, 1918: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

MAJ. WALTER REED AND OTHERS

The next business on the Private Calendar was the bill (H. R. 13060) to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. KNUTSON. Mr. Speaker, I reserve the right to object.

Mr. MAPES. Mr. Speaker, I reserve the right to object.

Mr. KNUTSON. I note that this bill carries a pension of $3,000 a year to sundry widows and survivors of widows. This bill carries a pension of $3,000 a year, does it not, for Mrs. Walter Reed and for Mrs. Carroll and Mrs. Lazear? Why should we differentiate between the widows of the men who participated in the experiments to determine the cause of yellow fever and the widows of men who lost their lives on the field of action?

Mr. WAINWRIGHT. Mr. Speaker, will the House indulge me for just a moment? This bill is a bill of some little consequence, and I am sure that every Member of the House would sympathize with the purpose of the bill, which is to give tardy recognition to those heroic men who subjected themselves at the risk of their lives in the experiment at Habana in 1900 to determine the cause of yellow fever.

Mr. GREEN. Mr. Speaker, this bill is meritorious——

Mr. KNUTSON. Mr. Speaker, I have not yielded to the gentleman from Florida. I yielded to the gentleman from New York.

Mr. WAINWRIGHT. Mr. Speaker, I trust the membership of the House will consider this bill and treat it seriously, because it is a serious proposition. We all know the result of that experiment—its great benefit to humanity. It showed the way to remove the scourge of yellow fever and made possible the building of the Panama Canal. All there is to the proposition is this:

There were 21 people who took part in that experiment. Five of them were the officers who organized it, Maj. Walter Reed and the other officers composing the board. The others were those who subjected themselves to be bitten by mosquitoes that had already bitten people suffering from yellow fever, and others who had come in contact with the polluted clothing of yellow-fever patients. I have discussed this bill with the gentleman from Minnesota [Mr. KNUTSON], the chairman of the Committee on Pensions, and the only question is the amount of the pension. Three of the widows of the officers are receiving pensions of $125 a month.

Mr. KNUTSON. Is the gentleman from New York aware of the fact that the Pension Committee considered all of these individual claims about three or four years ago, and that we granted them a pension of $125 a month? Here you have the case of Mrs. General McAndrews, whose husband was Chief of Staff in France. She is getting only $125 a month. This bill seeks to grant these widows $3,000 a year. I don't want to object, because I think the gentleman from New York and I can fix this matter up.

Mr. DOWELL. Mr. Speaker, if these gentlemen are intending to fix this up, I think we had better proceed with the other business.

The SPEAKER pro tempore. Is there objection?

Mr. DOWELL. Mr. Speaker, I demand the regular order.

The SPEAKER pro tempore. The regular order is, Is there objection?

Mr. MAPES. Mr. Speaker, I reserve the right to object.

Mr. WAINWRIGHT. Mr. Speaker, the only question is as to the amount of the pensions.

Mr. KNUTSON. Mr. Speaker, I ask unanimous consent that the bill be passed over temporarily without prejudice.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent that the bill be passed over temporarily without prejudice. Is there objection?

Mr. WAINWRIGHT. With the understanding that we come back to it.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the next bill.

NEW ORLEANS QUARTERMASTER INTERMEDIATE DEPOT UNIT NO. 2

The next business on the Private Calendar was the resolution (H. J. Res. 258) authorizing the Secretary of War to lease to the New Orleans Association of Commerce, New Orleans Quartermaster Intermediate Depot Unit No. 2.

The title of the resolution was read.

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

Mr. O'CONNOR of Louisiana. Mr. Speaker, I move to substitute a similar Senate resolution.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the Senate resolution.

Mr. O'CONNOR of Louisiana. It is Senate Joint Resolution 120.

The Clerk read as follows:

Resolved, etc., That the Secretary of War is authorized to lease for a period of three years, to run from September 16, 1927, without consideration or on such terms or conditions as he deems it advisable, to the New Orleans Association of Commerce (a nonprofit corporation organized under the laws of Louisiana), its successors and assigns, the New Orleans Quartermaster Intermediate Depot Unit No. 2 for general exhibition purposes in respect of fabricated and raw products of the United States and similar products of foreign countries; but if such corporation, its successors or assigns, shall cease to use and occupy the depot for such purposes the lease shall become null and void: *Provided*, That the United States may void the lease any time within the lease period by giving 30 days' notice to lessees.

SEC. 2. That the New Orleans Association of Commerce, under regulations prescribed by the Secretary of War, may, without expense to the United States, make such alterations in respect to such depot as may be necessary for the purposes for which the building is leased and in so far as may be compatible with the public interest.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the last vote was laid on the table.

The similar House resolution was laid on the table.

MAJ. WALTER REED AND OTHERS

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent that we may return to Calendar No. 557, to the bill H. R. 13060.

The SPEAKER pro tempore. Is there objection to the return?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

H. R. 13060

A bill to recognize the high public service rendered by Maj. Walter Reed and those associated with him in the discovery of the cause and means of transmission of yellow fever

Be it enacted, etc., That in special recognition of the high public service rendered and disabilities contracted in the interest of humanity and science as voluntary subjects for the experimentations during the yellow-fever investigations in Cuba, the Secretary of War be, and he is hereby, authorized and directed to publish annually in the Army Register a roll of honor on which shall be carried the following names: Walter Reed, James Carroll, Jesse W. Lazear, Aristides Agramonte, John H. Andrus, John R. Bullard, A. W. Covington, William H. Deans, Wallace Forbes, Levi E. Folk, P. Hamann, James F. Hanberry, Warren G. Jernegan, John R. Kissinger, John J. Moran, William Olson, Charles G. Sonntag, Clyde L. West, R. P. Cooke, Thomas H. England, James Hildebrand, and Edward Weatherwalks, and to define in appropriate language the part which each of these persons played in the experimentations during the yellow-fever investigations in Cuba; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, such amounts annually as may be necessary in order to pay to the following-named persons during the remainder of their natural lives the sum of $250 per month, and such amount shall be in lieu of any and all pensions authorized by law for the following-named persons:

Mrs. Walter Reed; Mrs. James Carroll; Mrs. Jesse W. Lazear; Dr. Aristides Agramonte; Pvt. John H. Andrus, Hospital Corps; Mr. John R. Bullard; Pvt. A. W. Covington, Twenty-third Battery, Coast Artillery Corps; Pvt. William H. Deans, Troop B, Seventh Cavalry; Pvt. Wallace Forbes, Hospital Corps; Pvt. Levi E. Folk, Hospital Corps; Pvt. P. Hamann, Twenty-third Battery, Coast Artillery Corps; Pvt. James F. Hanberry, Hospital Corps; Mrs. Warren G. Jernegan; Pvt. John R. Kissinger; Mr. John J. Moran; Pvt. William Olson, Hospital Corps; Pvt. Charles G. Sonntag, Hospital Corps; Pvt. Clyde L. West, Hospital Corps; Dr. R. P. Cooke; Pvt. Thomas H. England, Hospital Corps; Pvt. James Hildebrand, Hospital Corps; and Pvt. Edward Weatherwalks, Hospital Corps.

Mr. MAPES. Mr. Speaker, has consent been given to the consideration of the bill?

The SPEAKER pro tempore. No. Is there objection to the present consideration of the bill?

Mr. SCHAFER. Mr. Speaker, reserving the right to object, I think the House is entitled to know what the bill is before objection is made.

Mr. MAPES. One of the gentlemen named in the bill, Pvt. William H. Deans, of Troop B, Seventh Cavalry, lived in my city. He was a plasterer. Since the bill was reported he has died. His mother is living, and I desire to offer an amendment to pay her the monthly allowance instead of the soldier.

Mr. SCHAFER. Mr. Speaker, I will withdraw my reservation.

Mr. MAPES. I am told by the author of the bill that he is willing to accept the amendment.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Reserving the right to object, Mr. Speaker, I want to know exactly what these people are to get under this bill. How much are they paid now?

Mr. KNUTSON. They are paid now $125 a month, as fixed by the Pension Committee three years ago.

Mr. McKEOWN. If this bill is passed, what is it proposed to give them?

Mr. KNUTSON. One hundred and fifty dollars per month.

Mr. WAINWRIGHT. There are 21 of these people. Only five of them get any pension at all. The highest pension is $125. This bill will take care of all the other 16 in the group. I have offered an amendment, with the concurrence of the Committee on Pensions, fixing the amount at $150 per month for each of them.

Mr. KNUTSON. Before we proceed any further I want the gentleman from New York to insure us that the Military Committee hereafter will not attempt to encroach upon the jurisdiction of the Pension Committee. I want that understanding.

Mr. WAINWRIGHT. I can only give the gentleman from Minnesota my own impression.

Mr. DOWELL. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the consideration of this bill?

Mr. SNELL. Mr. Speaker, we ought to know exactly what the bill does before we pass it.

Mr. KNUTSON. A number of these people are getting $125 a month for participating in the experiments to determine the cause of yellow fever. Some of them have died, and their widows are receiving $125, including the widow of Walter Reed.

Mr. McKEOWN. Regular order, Mr. Speaker.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WAINWRIGHT. The pension of certain ones is $125.

Mr. McKEOWN. If the bill is good, nothing will be gained by Members getting impatient.

Mr. WAINWRIGHT. It is a meritorious bill.

Mr. SIMMONS. Mr. Speaker, in view of the fact that there is another session of Congress coming, I think we ought to have this bill understood by somebody, and therefore I object.

The SPEAKER pro tempore. Objection is heard.

Mr. BLACK of New York. Mr. Speaker, a point of order. We have passed the objection stage on this bill. I think it is a shame that Congress should handle the situation in this way.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

PAUL D. CARLISLE

The next business on the Private Calendar was the bill (S. 3201) for the relief of Paul D. Carlisle.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That the stoppage placed against the pay of Paul D. Carlisle, a major on the retired list of the United States Army, in the sum of $341.28, by reason of the absence with leave not in a full pay status, be, and the same hereby is, removed, and in case the sum, or any part thereof, has been already deducted from his pay the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the said Paul D. Carlisle the sum of $341.28, or such lesser sum, equal in amount to the sum so deducted.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

WALTER REED

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to return to Calendar No. 557. I do not think there is any objection to the bill.

The SPEAKER pro tempore. The Chair objects. The Chair has the same right to object as anyone else. The House has wasted considerable time over this bill, and as a Member of the House I object to returning to it again.

WADE ALLEN AND ED JOHNSON

The next business on the Private Calendar was the bill (H. R. 7378), for the relief of Wade Allen and Ed Johnson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any moneys in the Treasury not otherwise appropriated, the sum of $300 to Wade Allen and Ed Johnson, of Fannin County, Ga., which sum represents the loss sustained by said Wade Allen and Ed Johnson on the bail bond of Homer Nelson, who was afterwards captured and returned to the United States officers by the said Wade Allen and Ed Johnson; the record of said estreatment of bond and the payment of said sum of money on May 26, 1925, are shown in report of the clerk of the United States Court for the Northern District of Georgia.

With the following committee amendments:

Page 1, line 5, insert the words "in full settlement against the Government."

Line 6, strike out "$300" and insert "$204.59."

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

LARRY CARDWELL

The next business on the Private Calendar was the bill (H. R. 6263) to provide for the reinstatement of Larry Cardwell in the United States Naval Academy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Navy is authorized and directed to reinstate Larry Cardwell in the United States Naval Academy, of which he was a midshipman at the time of his discharge on November 19, 1926; the said Larry Cardwell to become a member of the class of 1930 on the date of reinstatement, and to be accorded all rights, privileges, and benefits to which he would have been entitled had he not been so discharged.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

FRANCIS JAMES CLEARY

The next business on the Private Calendar was the bill (H. R. 10274) for the relief of Commander Francis James Cleary, United States Navy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That hereafter Commander Francis James Cleary, United States Navy, an additional number in grade and designated to perform engineering duty only, shall be regarded as having been promoted to the rank of captain in the United States Navy on the 13th day of January, 1926, as an additional number in grade to perform engineering duty only, with rank as such immediately after Capt. Earl Peck Finney, United States Navy: *Provided*, That nothing herein shall be construed to entitle Commander Francis James Cleary, United States Navy, to any back pay, allowance, or other emoluments in this permanent rank.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

ALFRED O. HUESTIS

The next business on the Private Calendar was the bill (H. R. 3443) for the relief of Alfred O. Huestis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Alfred O. Huestis, who was a member of Battery I, Sixth United States Artillery, and later transferred to the Hospital Corps, United States Army, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 24th day of October, 1899: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOSEPH LEE

The next business on the Private Calendar was the bill (H. R. 4244) for the relief of Joseph Lee.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Joseph Lee, Serial No. 1425235, who was a member of Company , Headquarters Troop, Seventh Army Corps, transferred to Casual Company No. 5246, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of that organization on the 11th day of October, 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

ARTHUR A. PADMORE

The next business on the Private Calendar was the bill (H. R. 4626) for the relief of Maj. Arthur A. Padmore.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Maj. Arthur A. Padmore, United States Army, retired, out of any money in the Treasury not otherwise appropriated, the sum of $645.33, being the difference in pay and allowance from March 4, 1921, to November 21, 1921, which would have been due and payable to him had it been possible to promote him to the grade to which his seniority entitled him before his retirement by operation of law on November 21, 1921.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

KATHERINA KAUTZ AND FRED G. KAUTZ

The next business on the Private Calendar was the bill (H. R. 11289) for the relief of Katherina Kautz and Fred G. Kautz, heirs of the estate of Christian F. Kautz, deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HICKEY. Mr. Speaker, I object.

ARMSTRONG HUNTER

The next business on the Private Calendar was the bill (H. R. 6112) for the relief of Armstrong Hunter.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws Armstrong Hunter, late of Companies B and A, Fourteenth Regiment Illinois Volunteer Infantry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a private of said companies and regiment: *Provided*, That no pay, bounty, or pension shall be held to have accrued prior to the passage of this act.

With the following committee amendments:

Line 4, strike out "Companies B and" and insert "Company."

In line 6, after the word "discharged," insert "on June 19, 1865."

In line 8, strike out the word "Companies" and insert the word "Company."

In line 9, after the word "*Provided*," strike out the words "that no pay, bounty, or pension shall be held to have accrued prior to the passage of this act," and insert the words "that no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE A. COLE

The next business on the Private Calendar was the bill (H. R. 12641), to correct the military record of George A. Cole.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George A. Cole, who was a member of Troop F, First Regiment United States Cavalry, shall hereafter be held and considered to have been honorably discharged from the military service of the United States as a member of that organization: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

THOMAS W. MOORE

The next business on the Private Calendar was the bill (H. R. 13097) for the relief of Thomas W. Moore.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Thomas W. Moore, who was a member of Company K, Sixteenth Regiment United States Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOSEPH CUNNINGHAM

The next business on the Private Calendar was the bill (S. 2733) for the relief of Joseph Cunningham.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of the pension laws or any laws conferring rights, privileges, or benefits upon persons honorably discharged from the United States Army, Joseph Cunningham shall be held and considered to have been honorably discharged as a private, Company F, Forty-third Ohio Infantry, on April 12, 1865; but no pension, pay, nor bounty shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE A. ROBERTSON

The next business on the private calendar was the bill (S. 1541) for the relief of George A. Robertson.

The clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the provisions of the act approved September 7, 1916, entitled "An act to provide compensation for employees of the United States receiving injuries while in the performance of their duties, and for other purposes," are hereby extended to George A. Robertson for the loss of his right eye while employed by the Department of the Interior in Glacier National Park in the year 1913, and that he be paid such sums as would properly be due him within the provisions of section 4 of the said act of September 7, 1916. The United States Employees' Compensation Commission is hereby authorized and directed to make payments in compliance with the terms of the said act of September 7, 1916, and in accordance with the rules and regulations of said commission. Any money in the United States Treasury not otherwise appropriated is hereby appropriated for the purpose of this act.

With the following committee amendment:

Strike out all after the enacting clause and insert:

"That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $1,250 to George A. Robertson for the loss of his right eye while employed by the Department of the Interior in Glacier National Park, 1913."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

W. H. KAUFMAN

The next business on the Private Calendar was the bill (S. 2061) for the relief of W. H. Kaufman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HICKEY. Mr. Speaker, I object.

NELLE M'CONNELL

The next business on the Private Calendar was the bill (S. 2764) for the relief of Nelle McConnell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, authorized and directed to waive the limitation for filing claim for compensation in the case of Nelle McConnell, widow of Wilbur Ross McConnell, late a scientific assistant in the Bureau of Entomology of the United States Department of Agriculture.

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

A motion to reconsider was laid on the table.

DOUGLAS B. ESPY

The next business on the Private Calendar was the bill (H. R. 3168) for the relief of Douglas B. Espy.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to reimburse Douglas B. Espy, chief machinist mate United States Navy, the sum of $1,033, out of any money in the Treasury not otherwise appropriated, for the loss of uniforms, clothing, and other personal property belonging to him and his wife, as a result of a fire in the quarters at the naval radio station, Cavite, P. I., on the 15th day of March, 1927.

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

A motion to reconsider was laid on the table.

HEIRS OF EDGAR C. BRYON

The next business on the Private Calendar was the bill (H. R. 3967) for the relief of the next of kin of Edgar C. Bryon.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $50,000 to the legal representatives of Edgar C. Bryon for his next of kin in full compensation for any claims arising out of the death of such Edgar C. Bryon, who was struck and killed by an automobile truck in the service of the United States Post Office Department on October 2, 1919, in Brooklyn, N. Y., as a result of gross negligence on the part of the driver thereof and through no fault of his own, such driver having since been indicted for manslaughter in the second degree for such negligence.

With the following committee amendments:

Page 1, line 5, after the word "appropriated" insert "and in full settlement against the Government"; and in line 6, strike out "$50,000" and insert in lieu thereof "$5,000."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

ANDREW JACKSON SEWARD, JR.

The next business on the Private Calendar was the bill (H. R. 2486) for the relief of Andrew Jackson Seward, jr., deceased.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, sailors, or marines, Andrew Jackson Seward, jr., deceased, who was seaman on the U. S. S. *Nevada* shall hereafter be held and considered to have been honorably discharged from the naval service of the United States as seaman on or about the 19th day of June, 1919: *Provided*, That no back pay or allowances shall accrue prior to the passage of this act.

With the following committee amendment:

Page 1, line 9, after the figures "1919," insert "*Provided*, That no back pay or allowances shall accrue prior to the passage of this act."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

T. GAINES ROBERTS

The next business on the Private Calendar was the bill (H. R. 5019) for the relief of T. G. Roberts.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in recognition of the services of Commander T. G. Roberts, Construction Corps, United States Navy, retired, as superintending constructor for the Navy of 136 naval war vessels in whole or in part, of all kinds and sizes, which is probably the highest record ever made, and of 261 merchant ships converted to war purposes, during a period of about 14 years, principally at the four greatest private shipyards in the United States, and having held the temporary rank of captain for four years and four months during and after the war, the President is hereby authorized and directed to place him upon the retired list with the rank of captain upon the retired list of the Construction Corps of the Navy: *Provided*, That no increase nor back pay or allowances of any kind shall accrue as a result of the passage of this act.

With the following committee amendments:

Page 1, line 7, after the word "sizes" strike out the balance of line 7 and all of lines 8, 9, 10, 11, 12; and on page 2, after the word "authorized" strike out the words "and directed."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

JAMES E. TRUSSELL

The next business on the Private Calendar was the bill (S. 2673) for the relief of James E. Trussell.

The Clerk read the title of the bill.

The SPEAKER pro tempore (Mr. SNELL). Is there objection?

Mr. WARREN. I object.

OLIVER C. SELL

The next business on the Private Calendar was the bill S. 2966, an act for the relief of Oliver C. Sell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, or benefits upon honorably discharged soldiers, Oliver C. Sell, recruiting officer, and in Company B, First Regiment Ohio Volunteer Infantry, shall hereafter be held and considered to have been enrolled in the military service of the United States on July 24, 1898, instead of August 1, 1898, as shown on the official records of the War Department.

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

A motion to reconsider was laid on the table.

L. PICKERT FISH CO. (INC.)

The next business on the Private Calendar was the bill (H. R. 10908) for the relief of L. Pickert Fish Co. (Inc.).

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of L. Pickert Fish Co., a corporation created by and existing under the laws of the State of Maine, the legal owner of a wharf and factory thereon, at Provincetown, Mass., which was damaged and practically destroyed on or about November 15, 1926, through collision therewith by the U. S. Coast Guard cutter *Morrill*, for damages caused by said collision may be sued for in the District Court of Massachusetts, and that said court shall have jurisdiction to hear and determine such suit according to the principles of law and rules of practice obtaining in like cases between private parties at common law and to enter a judgment or decree for the amount of such damages and costs, if any, as shall be found to be due against the United States in favor of the said L. Pickert Fish Co. upon the same principles and measures of liability and damage as in like cases between private parties and with the same rights of appeal, and that any final judgment rendered in such suit shall, upon due presentation of an authenticated copy thereof, be paid by the proper accounting officer of the United States out of any appropriation or other funds available therefor, and otherwise there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, a sum sufficient to pay any such judgment as may be rendered: *Provided*, That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in said district to appear and defend for the United States: *Provided further*, That said suit shall be brought and commenced within six months of the date of the passage of this act.

SEC. 2. There is authorized to be appropriated such sums as may be necessary to pay the amount of any judgment rendered by the court.

With the following committee amendments:

Page 2, line 9, after the word "appeal," strike out the semicolon and insert a colon; and strike out the language that follows down to the word "Provided" in line 16.

Add a new section to the bill, as follows:

"SEC. 2. There is authorized to be appropriated such sum as may be necessary to pay the amount of any judgment rendered by the court."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

ROCKY FORD NATIONAL BANK

The next business on the Private Calendar was the bill (H. R. 12714) for the relief of Rocky Ford National Bank, Rocky Ford, Colo.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to redeem in favor of the Rocky Ford National Bank, of Rocky Ford, Colo., United States registered note No. K-1111428 in the denomination of $100 of the Victory Liberty loan 4¾ per cent convertible gold notes of 1922-23, inscribed "James O. Bartholemew," with interest from December 15, 1922, to May 20, 1923, without presentation of said note, the said note having been lost or destroyed after having been assigned in blank by the registered payee and being the property of the Rocky Ford National Bank; and the Secretary of the Treasury in hereby authorized and directed to also redeem in favor of the Rocky Ford National Bank, Rocky Ford, Colo., United States coupon notes No. F-6055335, G-7693827, and L-12363810, each of the $50 denomination, of the Victory Liberty loan 4¾ per cent convertible gold notes of 1922-23, with interest from June 15, 1922, to December 15, 1922, in the case of the first note above described, and with interest from June 15, 1922, to May 20, 1923, in the case of the last two notes above described, without presentation of said notes, said notes having been lost or destroyed, and being the property of the Rocky Ford National Bank: *Provided*, That the said notes shall not have been previously presented to the Treasury Department under such circumstances as would necessitate their redemption in favor of the person, firm, or corporation presenting them: *And provided further*, That the Rocky Ford National Bank shall first file in the Treasury Department of the United States a bond in the penal sum of double the amount of the principal of the said notes and the unpaid interest which had accrued thereon when the principal became due and payable, in such form and with such surety or sureties as may be acceptable to the Secretary of the Treasury, with condition to indemnify and save harmless the United States from any loss on account of the notes hereinbefore described.

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

A motion to reconsider was laid on the table.

RICHARD A. CHAVIS

The next business on the Private Calendar was the bill (H. R. 3278) for the relief of Richard A. Chavis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Richard A. Chavis, who served as a member of Company L, Second South Carolina Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from said service on the 19th day of April, 1899: *Provided*, That no back pay, pension, bounty, or other emolument shall accrue prior to the passage of this act.

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

A motion to reconsider was laid on the table.

FRANK W. SIMPSON

The next business on the Private Calendar was the bill (H. R. 4811) to reinstate Frank W. Simpson, formerly lieutenant, Coast Artillery, United States Army, as first lieutenant in the United States Army.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to reappoint Frank W. Simpson, formerly a lieutenant in the Coast Artillery, United States Army, an officer of the Army, in the grade and in the position on the promotion list provided by the next to last paragraph of section 24a of the national defense act of June 3, 1916, as amended by the act of June 4, 1920: *Provided*, That said Frank W. Simpson shall not by the passage of this act be entitled to any back pay or allowances of any kind: *Provided further*, That nothing contained in the act shall operate to increase the number of officers in the Regular Army now authorized by law.

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

A motion to reconsider was laid on the table.

MARIA HENSLEY CLAY

The next business on the Private Calendar was the bill (H. R. 10194) for the relief of Maria Hensley Clay.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That Maria Hensley Clay, mother of Charles D. Clay, jr., who served as a first lieutenant in Company B, Third Regiment United States Infantry, and who was killed at Fort Snelling, Minn., November 27, 1922, in the line of duty, shall be considered as the duly designated beneficiary of the late Charles D. Clay, jr., under the act approved May 11, 1908, as amended by the act approved March 3, 1909 (35 Stat. L. 108 and 735).

With the following committee amendments:

Line 7, after the word "beneficiary," insert the words "and dependent."

Line 8, strike out the word "May." Strike out all of line 9 and all of line 10. Insert after the word "approved," in line 8, the following: "December 17, 1919 (41 Stat. L. 367), and the Secretary of War be, and he is hereby, authorized and directed to cause payment of the gratuity of six months' pay to be made to Mrs. Martha Hensley Clay from current appropriation."

Mr. ROWBOTTOM. Mr. Speaker, I move to amend the committee amendment by striking out the word "Martha" and inserting the word "Maria."

The amendments were agreed to.

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

A motion to reconsider was laid on the table.

EFFA COWE

The next business on the Private Calendar was the joint resolution (H. J. Res. 261) for the relief of Effa Cowe, Creek Indian, new born, roll No. 78.

The Clerk read the title of the joint resolution.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Resolved, etc., That there is authorized to be appropriated the sum of $5,125, out of the unpaid Creek equalization funds, in full satisfaction of her rights to an allotment of Creek tribal lands.

With the following committee amendments:

Line 4, strike out "$5,125" and insert in lieu thereof "$1,101."

Line 4, after "the," strike out "unpaid Creek equalization funds" and insert in lieu the words "tribal funds of the Creek Nation."

The committee amendments were agreed to.

The joint resolution as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

THOMAS G. WRIGHT

The next business on the Private Calendar was the bill (H. R. 3937) for the relief of the heirs of Thomas G. Wright.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the heirs of Thomas G. Wright the sum of $2,800, the same being for the use of property by the United States.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

COBB BLASDELL & CO.

The next business on the Private Calendar was the bill (H. R. 4781) for the relief of the legal representatives of Cobb Blasdell & Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the claim of the legal representatives of Cobb Blasdell & Co., for oats purchased by them for the United States Government, in pursuance of written and oral contracts made by them with United States officers, be, and the same is hereby, referred to the Court of Claims of the United States with jurisdiction to hear and determine the same at the fair and reasonable value of the oats purchased as aforesaid, after deducting all proper credits, and report to Congress: *Provided*, That it be shown to the satisfaction of the court that said firm did not give any aid or comfort to the late Civil War, but was throughout the war loyal to the Government of the United States. The statutes of limitations and section 179, Judicial Code, to the contrary notwithstanding.

Mr. HOOPER. Mr. Speaker, I offer the following committee amendment.

The Clerk read as follows:

Committee amendment offered by Mr. HOOPER: In the title insert a comma after the word "Cobb," and in line 3 of the bill insert a comma after the word "Cobb."

The amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

LIEUT. GEORGE H. HAUGE, UNITED STATES ARMY

The next business on the Private Calendar was the bill (H. R. 9210) for the relief of Lieut. George H. Hauge, United States Army.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay to Lieut. George H. Hauge the sum of $357.35, which sum, or so much thereof as may be necessary, is hereby appropriated, out of any money in the Treasury not otherwise appropriated, said sum to be payment in full for all losses of personal property incurred by him while at Camp Pike, Ark.: *Provided*, That the accounting officer of the Treasury shall require a schedule and affidavit from him, such schedule to be approved by the Secretary of War.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

EUGENIA EDWARDS

The next business on the Private Calendar was the bill (H. R. 9396) to compensate Eugenia Edwards, of Saluda, S. C., for allowances due and unpaid during the World War.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to Eugenia Edwards, of Saluda, S. C., the sum of $164, in full compensation for allowances due her by reason of an allotment made by her son, Joseph Kirksey Edwards, while a soldier in the United States Army during the World War from April 2, 1918, to February 28, 1919, inclusive.

With the following committee amendment:

Line 7, strike out "$164" and insert "$110."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

CAPT. W. B. FINNEY

The next business on the Private Calendar was the bill (H. R. 9516) for the relief of Capt. W. B. Finney.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he hereby is, authorized and directed to pay to Capt. W. B. Finney, of 920 Grand Avenue, Kansas City, Mo., the sum of $479.14, out of any money in the Treasury not otherwise appropriated, to reimburse him for money paid out by him in line of his duties as captain Company A, Seventieth Regiment United States Infantry, Camp Funston, Kans.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

HARRY M. KING

The next business on the Private Calendar was the bill (H. R. 10236) for the relief of Harry M. King.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Without objection, a similar Senate bill, S. 4376, will be substituted for the House bill.

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the United States Employees' Compensation Commission be, and it is hereby, directed to hear and determine the claim of Harry M. King, who claims to have suffered physical injuries received by him in line of duty while working for the Government at Muscle Shoals, Ala., during the year 1918.

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

A similar House bill was laid on the table.

A motion to reconsider the vote by which the bill was passed was laid on the table.

GEORGE B. BOOKER CO.

The next business on the Private Calendar was the bill (S. 342) for the relief of George B. Booker Co.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to George B. Booker Co., of Wilmington, Del., out of any money in the Treasury not otherwise

appropriated, the sum of $102.69, said sum being due George B. Booker Co. for merchandise furnished to the Reedy Island Naval Station mess during the year 1918.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

CAPT. CLARENCE BARNARD

The next business on the Private Calendar was the bill (S. 605) for the relief of Capt. Clarence Barnard.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Capt. Clarence Barnard, Ordnance Department, the sum of $1,374.21, because of losses sustained by him while in the service.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN W. STOCKETT

The next business on the Private Calendar was the bill (S. 2319) for the relief of John W. Stockett.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

Mr. SCHAFER. Mr. Speaker, I understand that amendments are going to be offered to reduce the amount and provide for a limitation of attorneys' fees.

Mr. JENKINS. I have such an amendment.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, directed to pay, out of any money in the Treasury of the United States not otherwise appropriated, to John W. Stockett, draftsman in the War Department, the sum of $142,500 in full compensation for royalty on the use by the United States Army of the Stockett breech mechanism upon guns, which device was duly covered by letters patent issued to the said John W. Stockett by the United States, to wit, Nos. 601176, 601177, 620259, 699256, and 705157.

Mr. JENKINS. Mr. Speaker, I offer the following committee amendment, which I send to the desk.

The Clerk read as follows:

Page 1, line 7, strike out "$142,500" and insert in lieu thereof "$50,000," and add the following at the end of the bill:

"*Provided*, That it shall be unlawful for any agent or agents, attorney or attorneys, to exact, collect, withhold, or receive any sum which in the aggregate exceeds 10 per cent of the amount of any item appropriated in this bill on account of services rendered or advances made in connection with said claim, any contract to the contrary notwithstanding. Any person violating the provisions of this act shall be deemed guilty of a misdemeanor and upon conviction thereof shall be fined in any sum not less than $100 or more than $2,000."

The committee amendment was agreed to, and the bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

WILL J. ALLEN

The next business on the Private Calendar was the bill (S. 2473) for the relief of Will J. Allen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Chief Yeoman Will J. Allen, United States Coast Guard, out of any money in the Treasury not otherwise appropriated, the sum of $80 in settlement of a supplemental claim for differences in pay and allowances due him because of his services in the World War, this sum having been erroneously omitted from the statement submitted to the Court of Claims.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOHN L. ALCOCK

The next business on the Private Calendar was the bill (S. 3308) to confer jurisdiction on the Court of Claims to hear and determine the facts in the claim of John L. Alcock.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Court of Claims of the United States be, and hereby is, given jurisdiction to hear and determine the claim of John L. Alcock, of Baltimore, Md., and to award him compensation for losses or damages, if any, which he may have suffered through action by governmental agencies in commandeering, requisitioning, controlling by compulsion or otherwise, allocating or directing the contracting for, or delivery of, spruce and fir lumber which he owned or had sold under firm and binding contracts to others than allied Governments; and to enter decree or judgment against the United States for such compensation, with interest thereon, notwithstanding the fact that there was no taking by the United States of any of said spruce or fir lumber for the direct use of the United States, and notwithstanding the contracts made by claimant with representatives of the Governments allied with the United States, and notwithstanding the fact that the United States, or any officer, agent, or employee acting in its behalf, controlled, allocated, or directed the delivery of said spruce and fir lumber, or directed or required contracts to be made therefor under color of authority, or committed a tort in doing so.

SEC. 2. The Court of Claims in the adjudication of such claim is authorized, in its discretion, to use, in addition to any evidence which may be offered in any suit brought under this act, the pleadings and evidence in the case of John L. Alcock & Co. *v.* United States (61 C. Cls. Repts. 312).

SEC. 3. Such claim may be instituted at any time within four months from the approval of this act, notwithstanding lapse of time or any statute of limitations. Proceedings in any suit brought in the Court of Claims under this act, appeals therefrom, and payment of any judgment therein shall be had as in the case of claims over which such court has jurisdiction under section 145 of the Judicial Code, as amended.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. LINTHICUM. Mr. Speaker, I ask unanimous consent to print a statement of the facts in connection with this bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. LINTHICUM. Mr. Speaker, Mr. John L. Alcock, of Baltimore, Md., has for many years been engaged in the hardwood lumber business in the city of Baltimore, trading under the firm name of John L. Alcock & Co. Prior to the entry of the United States into the World War he had purchased in this country and sold to various parties in Great Britain large quantities of spruce and fir lumber suitable for airplane construction.

On or about February 5, 1918, Mr. Alcock had purchased and resold to purchasers in Great Britain, under valid and binding contracts, 301 cars of spruce and fir lumber, which at that time were loaded on board railroad cars, and either moving toward the coast or had arrived at the ports of Baltimore or Galveston. The bills of lading, insurance certificates, invoices, and drafts covering a substantial number of these cars were at that time deposited with the banking house of Alexander Brown & Sons, of Baltimore, and drafts drawn against them and payment in part received.

The purchasers under the contracts for the entire 301 cars of lumber, so Mr. Alcock claims, had agreed to "arrange ocean space and to pay invoice valuation after deducting all charges when cars" were "loaded in the interior." Under these contracts, Mr. Alcock's duty and responsibility had been finally completed, and there was nothing left for him to do except to collect the balance of the money due.

About February 5, 1918, Maj. F. W. Leadbetter, who was then in charge of the production department of the Signal Corps, and acting for the War Department of the United States and for the common interests of the United States and its allies, requested Mr. Alcock, so Mr. Alcock claims, to submit to him a list of all spruce and fir lumber which he had sold under contracts to British purchasers. This request was complied with by Mr. Alcock in writing, and shortly thereafter Major Leadbetter requested Mr. Alcock to come to Washington for a conference.

During this conference on February 11, 1918, at which Capt. D. Thomson, representing the British, was present a part of the time, Major Leadbetter discussed the situation with respect to the control of spruce and fir lumber, and told Mr. Alcock, so Mr. Alcock claims, that he would have to deliver his spruce and

fir lumber according to his instructions; that he would not be permitted to ship the lumber which he had already sold to British purchasers; and that, unless he followed Major Leadbetter's instructions, this lumber would be commandeered and requisitioned by the United States. Mr. Alcock, so he avers, protested against the proposed action and said that if the lumber were commandeered he would suffer great loss and damage; and he testified in his suit in the Court of Claims that Major Leadbetter assured him that he would be entitled to just compensation, and insisted that he comply with his instructions, and stated that, if he did so, he would be protected, and further that he (Major Leadbetter) had decided, after a conference with foreign representatives, to commandeer the lumber and apportion it between the representatives of the allied Governments, which Major Leadbetter denied.

On October 19, 1923, the Secretary of War made a report on this case to the Attorney General, and, referring to the conference with Major Leadbetter on February 11, 1918, made the following statement:

At the conference referred to, John L. Alcock & Co. were advised that their supply of lumber would be commandeered.

After the conference on February 11, 1918, Lieutenant Lippincott, under the instructions of Major Leadbetter and acting for the United States, took over the absolute control and disposition of the lumber in controversy. From and after the date of the conference, specific instructions were given to Alcock by Lieutenant Lippincott and others over Major Leadbetter's signature for the disposition of every car of lumber.

Immediately following the conference on February 11, 1918, and at the direction of Major Leadbetter, Mr. Alcock negotiated with the English, French, and Italian representatives, and agreements were entered into for the payment to him of the cost of his spruce lumber f. o. b. mill, and an additional 5 per cent for expenses, delivery to be made at the United States port for shipment abroad.

Mr. Alcock was paid by the British, French, and Italian Governments the amount agreed to be paid to cover the cost and expense in connection with the delivery of lumber. He has, however, received no compension whatsoever for the contracts which were canceled or for the loss sustained by him due to the cancellation of these contracts.

The control of the production and distribution of the spruce lumber of the United States was undertaken for the benefit of all of the Allies, including the United States, and it should not avoid responsibility if, as a matter of fact, claimant was deprived of his property or property rights through the action of officers or agents of the United States without receiving just compensation therefor.

Mr. Alcock, in the opinion of this committee, in equity and good conscience, should be given just compensation for losses or damage, if any, which he may have suffered through action by governmental agencies in controlling by compulsion or otherwise, allocating or directing the contracting for or the delivery of spruce and fir lumber which he owned or had sold to others under firm and binding contracts.

As stated in the opinion of the Court of Claims, this case is "decidedly unique," and it will not afford a precedent for action in other cases not based on similar facts.

GEORGE A. DAY

The next business on the Private Calendar was the bill (H. R. 9719) for the relief of George A. Day.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers George A. Day, who was a member of Company H, Twenty-second Regiment Wisconsin Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 6th day of October, 1864: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

F. STANLEY MILLICHAMP

The next business on the Private Calendar was the bill (H. R. 11064) for the relief of F. Stanley Millichamp.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the sum of $4,555 is hereby authorized to be paid to F. Stanley Millichamp, of Wapato, Wash., for the burning of his orchard, and the damages resulting therefrom, caused by a fire set by Government employees under the Bureau of Indian Affairs of the Department of the Interior.

With a committee amendment as follows:

Line 3, strike out "$4,555" and insert "$4,042"; and after line 4, insert "in full settlement of all claims against the Government."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

A motion to reconsider the last vote was laid on the table.

JOSEPH M'ALEER

The next business on the Private Calendar was the bill (H. R. 13476) for the relief of Joseph M. McAleer.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WARREN. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

DR. STANLEY R. TEACHOUT

The next business on the Private Calendar was the bill (H. R. 4776) for the relief of Dr. Stanley R. Teachout.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Dr. Stanley R. Teachout, of Nashville, Tenn., out of any money in the Treasury not otherwise appropriated, the sum of $35,000 in full compensation for losses sustained and expenses incurred by him on account of certain repairs and alterations which he made in his buildings at Nashville, Tenn., at the instance of and with the approval of representatives of the United States Veterans' Bureau and for the purpose of renting said premises to the said United States Veterans' Bureau and making same suitable for the occupancy by its original office; and for losses and damages sustained by him on account of the said premises being vacated and the lease canceled by the bureau after an occupancy of nine months.

With a committee amendment as follows:

Page 1, line 6, strike out "$35,000" and insert "$22,602.14."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

Mr. BYRNS. Mr. Speaker, there is a missprint on page 2, line 3. I move to strike out the word "original," and insert in lieu thereof the word "regional."

The SPEAKER pro tempore. The question is on agreeing to the amendment offered by the gentleman from Tennessee.

The amendment was agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill.

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

A motion to reconsider the last vote was laid on the table.

JOHN F. O'NEIL

The next business on the Private Calendar was the bill (H. R. 5995) for the relief of John F. O'Neil.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. HICKEY. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

LEO SCHEUREN

The next business on the Private Calendar was the bill (H. R. 10125) for the relief of Leo Scheuren.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the

Treasury not otherwise appropriated, and in full settlement against the Government, to Leo Scheuren, of Pottsville, Pa., the sum of $10,000 on account of the death of his wife, Elizabeth Scheuren, who was killed by a United States mail truck on December 23, 1926, at Pottsville, Pa.

With a committee amendment as follows:

Page 1, line 7, strike out "$10,000" and insert "$5,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

A motion to reconsider the last vote was laid on the table.

LORETTA PEPPER

The next business on the Private Calendar was the bill (H. R. 10126) for the relief of Loretta Pepper.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, to Loretta Pepper, of Ashland, Pa., the sum of $10,000 on account of injuries sustained by her when struck by a United States mail truck at Pottsville, Schuylkill County, Pa., on December 23, 1926.

With a committee amendment as follows:

Line 7, strike out "$10,000" and insert in lieu thereof "$5,000."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

A motion to reconsider the last vote was laid on the table.

DAVID A. WRIGHT

The next business on the Private Calendar was the bill (H. R. 12638) for the relief of David A. Wright.

The title of the bill was read.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

Mr. CHINDBLOM. I ask unanimous consent that the bill as it is recommended to be amended be read.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Illinois?

There was no objection.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $13,187.50 to David A. Wright, of Chicago, Ill., for money paid by him to the United States as a part of the purchase price of certain machinery which was agreed to be purchased by him from the United States in 1920, but which was not delivered in accordance with the terms of sale, and in order to reimburse and compensate the said David A. Wright for the cost of transportation, unloading, handling, and storage by him in his warehouse in Chicago, Ill., of machinery belonging to the United States.

The SPEAKER pro tempore. The question is on agreeing to the committee amendments.

The committee amendments were agreed to.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the bill as amended.

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

WILLIAM M. SHERMAN

The next business on the Private Calendar was the bill (S. 162) for the relief of William M. Sherman.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, or their dependents, William M. Sherman, who served as a private of Troop A, Eighth Regiment United States Cavalry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of said organization on the 7th day of March, 1901: *Provided*, That no bounty, pension, pay, or other emoluments shall accrue prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

HARRY C. TASKER

The next business on the Private Calendar was the bill (H. R. 11153) for the relief of Harry C. Tasker.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Harry C. Tasker, of Green River, Utah, the sum of $450 for the loss of a horse loaned to the employees of the Geological Survey and not returned.

With the following committee amendment:

Page 1, line 6, strike out "$450" and insert "$100."

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

SAMUEL S. MICHAELSON

The next business on the Private Calendar was the bill (H. R. 12021) for the relief of Samuel S. Michaelson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General be, and he is hereby, authorized and directed to credit the account of Samuel S. Michaelson, postmaster at Montevideo, Minn., in the sum of $696.95, due the United States on account of the loss resulting from the closing of the First National Bank of Montevideo, Minn.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

PERMISSION TO MAKE THE UNITED STATES A PARTY DEFENDANT

The next business on the Private Calendar was the bill (H. R. 12809) to permit the United States to be made a party defendant in a certain case.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of the United States be, and it is hereby, given to be named a party in any suit which is now or may hereafter be instituted in the courts of the State of South Carolina by Mrs. Cora W. Godfrey to foreclose the mortgage of W. J. Wood, executed and delivered unto said Mrs. Cora W. Godfrey on January 30, 1920, to secure the note of W. J. Wood in the amount of $2,500 on the following real estate: All that certain lot of land in the city and county of Anderson, State of South Carolina, fronting 120 feet, more or less, on East Benson Street and running back in parallel lines 108 feet, more or less, to lot now owned by Mrs. Holland and Horton and known as 315 East Benson Street, and is bounded on the north by Horton, each by Campbell, south by East Benson Street, and west by A. W. Kay, and being part of the Pinckney Williams property conveyed to A. W. Kay by the heirs of the said Pinckney Williams, deceased, recorded in book AAAA, at page 174, R. M. C., office for Anderson County, S. C., and conveyed unto the said W. J. Wood by the said A. W. Kay by deed dated January 29, 1920, of record in the office of the clerk of court for Anderson County, S. C., in RRRRR, at page 4.

SEC. 2. That in all suits or proceedings that may be instituted under this act in which the United States has been made a party, the process of the court shall be served upon the United States district attorney for the eastern district of South Carolina, whose duty it shall be to appear and defend the interest of the United States in said real estate.

SEC. 3. After the entry of final judgment or decree by the court in any suit or proceeding in which the United States has been made a party under the provisions of this act pursuant to a finding in the court that a lien exists in favor of the United States the effect of any sale which may thereafter be made by writ of execution or otherwise under the terms of the said judgment or decree, shall be the same, as to the discharge from the property sold of liens and encumbrances, and

otherwise howsoever, as shall be provided by the laws of the State of South Carolina in connection with such sales in the courts of that State and the lien of the United States upon such property shall be subject to discharge from said property by such sale in the same manner as may be provided by the laws of the State of South Carolina as to other liens of a similar nature and shall be relegated to the fund provided by such sale, subject only to such other liens and encumbrances as the court may find to be prior in lien thereto.

SEC. 4. That no judgment for costs shall be rendered against the United States in any suit or proceeding which may be instituted under the provisions of this act, nor shall the United States be or become liable for the payment of the costs of any such suit or proceeding or any part thereof.

With the following committee amendments:

Page 2, line 11, strike out the word "deed" at the end of the line.

Page 2, line 18, strike out the word "eastern" and insert the word "western."

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

S. DAVIDSON & SONS

The next business on the Private Calendar was the bill (S. 1122) for the relief of S. Davidson & Sons.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to S. Davidson & Sons, of Marvell, Ark., the sum of $341.41, out of any money in the Treasury of the United States not otherwise appropriated, on account of forfeiture of bond in case of Will Jones.

With the following committee amendment:

Page 1, line 5, strike out "$341.41" and insert "$300."

The committee amendment was agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

NATIONAL DEFENSE ACT

The next business on the Private Calendar was the bill (H. R. 8341) to amend the national defense act, approved June 3, 1916, as amended.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for making further and more effectual provisions for the national defense, and for other purposes," approved June 4, 1920, be further amended as follows:

"That the number of warrant officers now provided in section 4a, as amended, be increased by one to permit the appointment to that grade of Clarence Ulery, now a master sergeant in the Regular Army, who was a noncommissioned officer of the Regular Army in 1916; and who served in France as a first lieutenant during the World War; and who was eligible for appointment to fill an original vacancy as a warrant officer in the Regular Army on or about October 17, 1921, but who was awaiting trial by a general court-martial at that time and the appointment was withheld until the result of the trial was known; and who, after being acquitted of all charges on January 16, 1922, was denied the appointment to the grade of warrant officer in the Regular Army on account of the original vacancy, to which he was eligible, having in the meantime been filled by another candidate, and the War Department had discontinued further appointments to that grade at that time."

With the following committee amendment:

Strike out all after the enacting clause and insert the following:

"That the Secretary of War is hereby authorized to appoint Clarence Ulery, now a master sergeant, Quartermaster Corps, a warrant officer of the Regular Army: *Provided*, That in determining length of service for longevity pay and retirement he shall be credited with and entitled to count the same military service as now authorized for warrant officers appointed under section 4a of the act of June 4, 1920: *Provided further*, That so much of the provision in the act of June 30, 1922, as prohibits the filling of vacancies in the grade of warrant officer, except in the Mine Planter Service and the position of band leader, until the number in such grade is reduced to 600, shall not apply to the appointee under this act."

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

The title was amended.

B. C. MILLER

The next business on the Private Calendar was the bill (H. R. 11859) for the relief of B. C. Miller.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That B. C. Miller, of Cleveland, Ohio, who was duly appointed a special master by the District Court of the United States for the Northern District of Ohio, on June 17, 1919, in the cases of Meurer Steel Barrel Co. (Inc.) against The Cleveland Steel Barrel Co. No. 464 in equity, and Meurer Steel Barrel Co. (Inc.) against The Ohio Corrugating Co., No. 465 in equity, then pending in said court, be permitted to withdraw the sum of $525, with accrued interest, now on deposit in the Central National Bank of Cleveland, Ohio, in an official savings account, to the credit of the clerk of said court, said sum being the compensation allowed to B. C. Miller as special master in said cases by the court, with the consent of the parties, and paid into court by the parties pursuant to such order of allowance, the acts of Congress of March 4, 1921 (41 Stat. L., p. 413), and June 16, 1921 (42 Stat. L., p. 41), notwithstanding.

With the following committee amendment:

Page 2, line 8, strike out the figures "413" and insert "1413."

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JAMES M. LONG

The next business on the Private Calendar was the bill (H. R. 7236) for the relief of James M. Long.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to James M. Long the sum of $2,500, in full compensation for damages suffered by reason of being unlawfully assaulted and shot, whereby he was seriously and permanently injured and maimed for life by a member or members of a party of law violators when acting as an officer of Hall County and the State of Georgia, and then and there in the legal discharge of his duty as such an officer, in attempting to arrest one Andrew Jackson Hays, who was then and there a deserter of the United States Army.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

SAMUEL F. TAIT

The next business on the Private Calendar was the bill (H. R. 12117) for the relief of Samuel F. Tait.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $8,226 to Samuel F. Tait, of Coolspring Township, Mercer County, Pa., in full compensation for damages sustained by him in the destruction of his barn, farm crops, and farming implements by a fire resulting from a parachute flare dropped by L. W. Bertaud, pilot of a United States transcontinental mail plane, on December 4, 1926.

With the following committee amendment:

Page 1, line 6, strike out "$8,226," and insert "$5,000."

The committee amendment was agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

GILBERT FAUSTINA AND JOHN ALEXANDER

The next business on the Private Calendar was the bill (H. R. 7411) for the relief of Gilbert Faustina and John Alexander.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is hereby authorized and directed to pay to Gilbert Faustina and John Alexander, out of any money in the Treasury not otherwise appropriated, the sum of $500 each as sureties on the $1,000 bail bond of Ike Davis, which bond was forfeited and the said amount covered into the United States Treasury by the clerk of the Federal court for the southern district of Alabama; the said Ike Davis subsequently being apprehended and brought into court through the efforts of the said Gilbert Faustina and John Alexander and convicted of the offense of which he was charged, and that the sum of $1,000 is hereby appropriated to carry out the purposes of this act.

With the following committee amendments:

Page 1, line 6, insert "and in full settlement against the Government."

Page 1, line 10, after the word "Alabama," strike out the remainder of the bill.

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

LULA LEWIS

The next business on the Private Calendar was the bill (H. R. 12280) for the relief of Lula Lewis.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., There is hereby appropriated, out of the Treasury of the United States from any funds not otherwise appropriated, the sum of $429.50, to be paid to Lula Lewis (colored), of Cartersville, Ga., for allotments made to her during the World War by her son, Richard Lewis, a soldier of the United States, the checks for which allotments were received by another person without the knowledge of the said Lula Lewis and cashed by such other person, who received the money paid thereon.

SEC. 2. That from the date of each of said allotment checks not received by the said Lula Lewis (colored) interest shall be calculated thereon at the rate of 4 per cent, and the amount of such interest shall be, and the same is hereby, appropriated in addition to the amount stated in section 1, to be paid to said Lula Lewis, allottee.

With the following committee amendments:

Page 1, strike out all of lines 3, 4, and 5, and insert the following: "That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, and in full settlement against the Government, the sum of $320 to Lula Lewis (colored), of."

Page 2, strike out section 2.

The committee amendments were agreed to.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

ROBINSON NEWBOLD

The next business on the Private Calendar was the bill (H. R. 5222) for the relief of Robinson Newbold.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill as follows:

Be it enacted, etc., That the Secretary of War is hereby authorized and directed to pay Robinson Newbold the sum of $302.75 for damages sustained caused by the explosion at Morgan, N. J., to his property at Huguenot Park, Staten Island, N. Y.; and the said sum of $302.75 is hereby appropriated from any money in the Treasury of the United States not otherwise appropriated.

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

A motion to reconsider was laid on the table.

JEANNETTE S. JEWELL

The next business on the Private Calendar was the bill (H. R. 12966) for the relief of Jeannette S. Jewell.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Jeannette S. Jewell, widow of John F. Jewell, late American consul at Birmingham, England, the sum of $7,000, being one year's salary of her deceased husband, who died of illness incurred while in the Consular Service; and there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, a sufficient sum to carry out the purpose of this act.

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

A motion to reconsider was laid on the table.

FERDINAND YOUNG, ALIAS JAMES WILLIAMS

The next business on the Private Calendar was the bill (H. R. 10093) for the relief of Ferdinand Young, alias James Williams.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers Ferdinand Young, alias James Williams, formerly a private of Company K, New York Volunteer Infantry, and Company D, Eleventh Regiment Maryland Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a member of Company K, New York Volunteer Infantry: *Provided*, That all pay and allowances due him on said date shall be allowed him.

With the following committee amendments:

Page 1, line 6, strike out "New York Volunteer Infantry" and insert "Fourteenth New York State Militia, subsequently the Eighty-fourth New York Volunteer Infantry"; page 1, line 10, after the word "honorably," insert "January 20, 1863"; page 2, line 1, strike out the words "that all pay and allowances due him on said date shall be allowed him" and insert, "That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

CREEK NATION OF INDIANS

The next business on the Private Calendar was the bill (H. R. 12604) authorizing an advancement of certain funds standing to the credit of the Creek Nation in the Treasury of the United States to be paid to one of the attorneys for the Creek Nation, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. Without objection, the Clerk will report the Senate bill (S. 3868).

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That there is hereby authorized to be appropriated, out of any money now standing to the credit of the Creek Nation of Indians in the Treasury of the United States, the sum of not exceeding $18,000 to be, by the Secretary of the Interior, paid out in his discretion to attorneys for the Creek Nation of Indians employed under the authority of the act of Congress approved May 24, 1924 (43 Stat. L. 139), the payments to be made in such sums as may be necessary to reimburse the attorneys for such proper and necessary expenses as may have been incurred or may be incurred in the investigation of records and preparation, institution, and prosecution of suits of the Creek Nation of Indians against the United States under the above-mentioned act of May 24, 1924: *Provided, however*, That the claims of the attorneys shall be filed by said attorneys with the Secretary of the Interior and shall be accompanied by the attorneys' itemized and verified statement of the expenditures for expenses and by proper vouchers, and that the claims so submitted shall be subject to the approval of the Secretary of the Interior: *And provided further*, That any sums allowed and paid under this act to the attorneys shall be reimbursable to the credit of the Creek Nation out of any amount or amounts which may hereafter be

decreed by the Court of Claims to said attorneys for their services and expenses in connection with the Creek tribal claims and suits under the above-mentioned act of May 24, 1924.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to correct the title and also to strike out the word "appropriated" in line 1, and to insert the word "expended."

The SPEAKER pro tempore. The gentleman from Oklahoma offers an amendment which the Clerk will report.

The Clerk read as follows:

In line 1, strike out the word "appropriated" and insert in lieu thereof the word "expended."

The amendment was agreed to.

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

A motion to reconsider was laid on the table.

A similar House bill was laid on the table.

The title was amended.

ELOISE CHILDERS

The next business on the Private Calendar was the joint resolution (H. J. Res. 260) for the relief of Eloise Childers, Creek Indian, minor, roll No. 354.

The Clerk read the title of the joint resolution.

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

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas Eloise Childers, Creek Indian, minor, roll No. 354, having lost the allotment of land which the United States attempted to assign her and having received from the tribal funds no payments for the satisfaction of such rights: Therefore be it

Resolved, etc., That there is authorized to be appropriated the sum of $4,140, out of the unpaid Creek equalization funds, in full satisfaction of her rights to an allotment of Creek tribal lands.

With the following committee amendments:

Page 1, line 4, strike out "$4,140" and insert "$1,213.24"; page 1, line 4, strike out "unpaid Creek equalization funds" and insert "tribal funds of the Creek Nation."

The committee amendments were agreed to.

The bill as amended was ordered to be read a third time, was read the third time, and passed.

A motion to reconsider was laid on the table.

JEANETTE RELIEF EXPEDITION

The next business on the Private Calendar was the bill (H. R. 13302) granting a pension to the survivors of the Jeanette relief expedition.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

Mr. WARREN. Mr. Speaker, reserving the right to object, and of course, I shall not object, because I am very much in favor of the bill, I would like to inquire of the gentleman from California if any of these parties are now on the pension roll.

Mr. KNUTSON. They are not.

Mr. CARTER. No; not a one.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior be, and he is hereby, authorized and directed to place on the pension roll, subject to the provisions and limitations of the pension laws, the names of the surviving members of the U. S. S. *Rodgers* who participated in the *Jeanette* relief expedition, and pay them a pension at the rate of $30 per month: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider was laid on the table.

IDA T. GODFREY

The next business on the Private Calendar was the bill (H. R. 4387) for the relief of Ida E. Godfrey.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Ida E. Godfrey, of Cookstown, N. J., the sum of $3,520.04, damages by fire on June 11, 1921, to certain cranberry bogs adjacent to the rifle range at Camp Dix, N. J.

With the following committee amendments:

In line 6, strike out the figures "$3,520.04" and insert in lieu thereof "$750, to Lee C. Davis, of Wrightstown, N. J., the sum of $500, to Thomas Emley, of Cookstown, N. J., the sum of $750."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

LOUIS C. BRINTON

The next business on the Private Calendar was the bill (H. R. 7492) for the relief of Capt. Louis C. Brinton.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to allow credit in the account of the above-named officer of the Army of the United States in the sum herein stated which now stands as disallowance on the books of the General Accounting Office: Capt. Louis C. Brinton (now lieutenant colonel), Coast Artillery, the sum of $1,448.66, being the amount of erroneous payments made by him during the summer of 1916 while acting as finance officer at Brownsville, Tex.

With the following committee amendments:

In line 3, strike out the words "Secretary of the Treasury" and insert in lieu thereof the words "Comptroller General of the United States."

In line 9, strike out the figures "$1,448.66" and insert in lieu thereof the figures "$1,398.66."

The committee amendments were agreed to.

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

A motion to reconsider was laid on the table.

H. W. DICKSON AND MARY L. DICKSON

The next business on the Private Calendar was the bill (H. R. 11239) for the relief of H. W. Dickson and Mary L. Dickson.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, the sum of $15 monthly to H. W. Dickson, father of Elizabeth Dickson, deceased, late of Quenemo, Kans., and the sum of $15 monthly to Mary L. Dickson, mother of the said Elizabeth Dickson, and in the case of the death of either of said parents, the sum of $20 monthly to the surviving parent, on account of the death of the said Elizabeth Dickson while serving as a nurse in the base hospital at Fort Riley, Kans., during the World War.

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

A motion to reconsider was laid on the table.

CAPT. ROGER H. YOUNG

The next business on the Private Calendar was the bill (H. R. 11607) for the relief of Capt. Roger H. Young.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury is authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to Roger H. Young, formerly captain of Infantry, the sum of $727.55, representing the amount refunded by him on account of the loss of the company funds of Company G, Horsed Battalion, Fifth Ammunition Train, which were lost on or about January 24, 1919.

With the following committee amendment:

In line 6, strike out the figures "$727.55" and insert in lieu thereof the figures "$365."

The committee amendment was agreed to.

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

A motion to reconsider was laid on the table.

ALONZO DURWARD ALLEN

The next business on the Private Calendar was the bill (H. R. 12793) for the relief of Alonzo Durward Allen.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau is authorized and directed to regard such disabilities of Alonzo Durward (or Dermot) Allen, of Mississippi, as resulted from a case of typhoid fever and complications with which he was afflicted on or immediately after September 18, 1917, to have been incurred in or aggravated by the military service of the United States during the year 1917. And the said director shall pay to the said Alonzo Durward Allen all compensation and benefits to which such service-connected disabilities entitle him under the World War veterans' act, as that act is now in force, or may hereafter be in force. Such compensation and benefits shall be paid in the amount and as nearly as possible in the manner that they would have been paid had the original claim of the said Alonzo Durward Allen for compensation, filed with the United States Veterans' Bureau in October of 1925, been granted. Accrued amounts thereof shall be paid and any further payments to be made shall begin within 90 days from the passage of this act.

With the following committee amendments:

In line 8, strike out the word "accrued."

In line 9, strike out "amounts thereof shall be paid and any further"; capitalize the "p" in "Payments."

In line 10, strike out the word "ninety," and insert in lieu thereof the word "thirty."

The committee amendments were agreed to.
The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider was laid on the table.

SCHOONER "ADDISON E. BULLLARD"

The next business on the Private Calendar was the bill (S. 1486) for the relief of the owners of the schooner *Addison E. Bullard.*
The Clerk read the title of the bill.
Mr. STRONG of Kansas. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice.
The SPEAKER pro tempore. Is there objection?
There was no objection.

CARL HOLM

The next business on the Private Calendar was the bill (H. R. 10974) for the relief of Carl Holm.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That the Director of the United States Veterans' Bureau be, and he is hereby, authorized and directed to reimburse out of the appropriation for medical and hospital services to Carl Holm, of Livermore, Calif., the sum of $102, plus interest thereon at the rate of 6 per cent per annum from June 12, 1925, to the date of the enactment of this act. Such sum represents the amount of loss sustained by the said Carl Holm as the result of damage to his barley crop caused by the drilling of a well at the United States Veterans' Bureau Hospital, Livermore, Calif., on June 12, 1925.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

RAYMOND NELSON HICKMAN

The next business on the Private Calendar was the bill (H. R. 8464) for the relief of Raymond Nelson Hickman.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That the President be, and he is hereby, authorized to nominate and, by and with the advice and consent of the Senate, to appoint Raymond Nelson Hickman a lieutenant commander, Supply Corps, United States Navy: *Provided*, That said Raymond Nelson Hickman shall, within 30 days after being commissioned, appear before a naval examining board which shall determine his fitness for the duties of his rank and grade, which shall be the same as if he had remained on active duty continuously from the date of his commission, January 12, 1916: *Provided further*, That said Raymond Nelson Hickman, if found unfit for active service, shall be placed upon the retired list of the Navy with three-quarters pay, in accordance with the Revised Statutes which govern the retirement of officers whose disability is incurred in the line of duty.

With the following committee amendment:

Page 1, line 12, after the figures "1916," strike out the remainder of the bill.

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.

EDWARD J. COSTELLO

The next business on the Private Calendar was the bill (H. R. 1539) for the relief of Edward J. Costello.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Edward J. Costello, who was a member of Company K, Second Regiment Missouri Volunteer Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

With the following committee amendment:

Line 5, strike out "K, Second Regiment Missouri Volunteer" and insert "E, Thirtieth United States."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.
A motion to reconsider the vote by which the bill was passed was laid on the table.
Mr. SCHAFER. Mr. Speaker, I ask unanimous consent to take up out of order Calendar No. 700.
The SPEAKER pro tempore. Is there objection?
Mr. GREEN. Mr. Speaker, reserving the right to object, I also ask to take up out of order Calendar No. 703.
The SPEAKER pro tempore. Is there objection?
Mr. SMITH. I object.

JAMES W. SMITH

The next business on the Private Calendar was the bill (H. R. 12834) to correct the military record of James W. Smith.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, James W. Smith, who was a member of Company D, Second Regiment Tennessee Volunteer Infantry, Spanish-American War, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 13th day of December, 1898: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

The bill was ordered to be engrossed and read a third time, was read the third time, and passed.
The title was amended to read: "A bill for the relief of James W. Smith."
A motion to reconsider the vote by which the bill was passed was laid on the table.

PHILIP V. SULLIVAN

The next business on the Private Calendar was the bill (H. R. 4264) for the relief of Philip V. Sullivan.
The Clerk read the title of the bill.
The SPEAKER pro tempore. Is there objection to the present consideration of the bill?
There was no objection.
The Clerk read the bill, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to appoint Philip V. Sullivan, former lieutenant, junior grade, United States Navy, in which grade he served honorably during the World War, a lieutenant, junior grade, in the United States Navy, and to retire him and place him on the retired list of the Navy as lieutenant, junior grade, with retired pay of that grade.

With the following committee amendment:

Line 9, after the word "grade" insert a colon and the words:

"*Provided*, That a duly constituted naval retiring board finds that the said Philip V. Sullivan incurred physical disability incident to active service in line of duty: *Provided further*, That no back pay, allowances, or emoluments shall become due as a result of the passage of this act."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

ERNEST L. SILVERS

The next business on the Private Calendar was the bill (H. R. 8597) for the relief of Ernest L. Silvers.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, and their dependents, Ernest L. Silvers, who was a member of Company L, Twentieth United States Infantry, shall hereafter be held and considered to have been discharged honorably from the military service of the United States as a private of that organization on the 13th day of March, 1900: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act.

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

A motion to reconsider the vote by which the bill was passed was laid on the table.

JOSIAH HARDEN

The next business on the Private Calendar was the bill (H. R. 13260) for the relief of Josiah Harden.

The Clerk read the title of the bill.

The SPEAKER pro tempore. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That in the administration of any laws conferring rights, privileges, and benefits upon honorably discharged soldiers, Josiah Harden, 2233371, private in the Infantry, unassigned, United States Army, shall hereafter be held and considered to have been discharged honorably from military service of the United States as an unassigned private in the Infantry of the United States Army: *Provided*, That no bounty, pay, or allowance, shall be held as accrued prior to the passage of this act.

With the following committee amendment:

Line 9, strike out "*Provided*, That no bounty, pay, or allowance shall be held as accrued prior to the passage of this act" and insert "on November 21, 1919: *Provided*, That no bounty, back pay, pension, or allowance shall be held to have accrued prior to the passage of this act."

The committee amendment was agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

A motion to reconsider the vote by which the bill was passed was laid on the table.

JAMES M. THOMAS

Mrs. ROGERS. Mr. Speaker, I ask unanimous consent to take up Calendar No. 705, the bill H. R. 1939.

The SPEAKER pro tempore. Is there objection to the request of the lady from Massachusetts?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to credit in the accounts of Lieut. James M. Thomas, Supply Corps, United States Navy, the sum of $4,000, being the amount stolen from United States funds by a person or persons unknown and charged against the accounts of the said James M. Thomas, lieutenant, Supply Corps, United States Navy, on the books of the Treasury Department.

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

A motion to reconsider the last vote was laid on the table.

Mr. MONTAGUE. Mr. Speaker, I ask that the same courtesy be extended to the lady from Kentucky [Mrs. LANGLEY], to take up Calendar No. 680.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Virginia?

Mr. SMITH. I object, Mr. Speaker, to taking up bills out of order.

Mr. MONTAGUE. I want to extend that same courtesy to the lady from Kentucky [Mrs. LANGLEY].

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

HERMAN C. DAVIS

The next business on the Private Calendar was the bill (H. R. 9737) for the relief of Herman C. Davis.

The SPEAKER pro tempore. Is there objection to the present consideration of the bill?

There was no objection.

The SPEAKER pro tempore. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay to Herman C. Davis of Camp Knox, Hardin County, Ky., the sum of $10,000 in full settlement of all claims against the United States for injuries arising out of a gunshot wound inflicted by a member of the provost guard doing duty at Camp Knox on March 17, 1919.

With a committee amendment, as follows:

Line 5, strike out "$10,000" and insert in lieu thereof "$2,500."

The SPEAKER pro tempore. The question is on agreeing to the committee amendment.

The committee amendment was agreed to.

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

Mr. GREEN. Mr. Speaker, I ask unanimous consent to take up a Senate bill in behalf of a man who is 76 years old.

Mr. HICKEY. I object.

The SPEAKER pro tempore. Objection is heard. The Clerk will report the next bill.

ADDISON E. BULLARD

Mr. McDUFFIE. Mr. Speaker, I ask unanimous consent to return to Calendar No. 629, the bill S. 1486.

The SPEAKER pro tempore. The gentleman from Alabama asks unanimous consent to return to Calendar No. 629. Is there objection?

Mr. HICKEY. I object.

The SPEAKER pro tempore. Objection is heard.

ADJOURNMENT

Mr. TILSON. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 11 o'clock p. m.) the House adjourned, according to the previous order, until to-morrow, Saturday, May 26, 1928, at 11 o'clock a. m.

COMMITTEE HEARINGS

Mr. TILSON submitted the following tentative list of committee hearings scheduled for Saturday, May 26, 1928, as reported to the floor leader by the clerk of the committee:

COMMITTEE ON COINAGE, WEIGHTS, AND MEASURES

(10 a. m.)

Authorizing the President to present in the name of Congress gold medals of appropriate design to Clarence D. Chamberlin and Charles A. Levine (H. R. 14006).

To authorize the Secretary of the Treasury to prepare and strike a medal, with appropriate emblems, devices, and inscriptions thereon, commemorative of the enactment of the act of Congress, approved by the President on May 25, 1926, providing for the establishment, in the State of Kentucky, of the Mammoth Cave National Park (H. R. 13694).

EXECUTIVE COMMUNICATIONS, ETC.

542. Under clause 2 of Rule XXIV, a letter from the Secretary of War, transmitting report from the Chief of Engineers on preliminary examination and survey of Little River, Del., was taken from the Speaker's table and referred to the Committee on Rivers and Harbors.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 13784. A bill allowing the rank, pay, and allowances of a colonel, Medical Corps, United States Army, to the medical officer assigned to duty as personal physician to the President; without amendment (Rept. No. 1867). Referred to the Committee of the Whole House on the state of the Union.

Mr. SPEAKS: Committee on Military Affairs. S. 1825. An act to amend section 12 of the act approved June 10, 1922, entitled "An act to readjust the pay and allowances of commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service," as amended by the act of June 1, 1926 (44 Stat. L. 680), so as to authorize an allowance of 3 cents per mile, in lieu of transportation in kind, for persons using privately owned conveyances while traveling under competent orders;

without amendment (Rept. No. 1868). Referred to the Committee of the Whole House on the state of the Union.

Mr. McLEOD: Committee on the District of Columbia. H. R. 7911. A bill to define and punish vagrancy in the District of Columbia; without amendment (Rept. No. 1869). Referred to the House Calendar.

Mr. SMITH: Committee on the Civil Service. H. R. 13565. A bill to amend the act entitled "An act for the retirement of employees in the classified civil service, and for other purposes," approved July 3, 1926; without amendment (Rept. No. 1870). Referred to the House Calendar.

Mr. DENISON: Committee on Interstate and Foreign Commerce. H. R. 13831. A bill relative to the dam across the Kankakee River at Momence, in Kankakee County, Ill.; with amendment (Rept. No. 1871). Referred to the House Calendar.

By Mr. McFADDEN: Committee on Banking and Currency. H. R. 14000. A bill to amend section 29 of the Federal farm loan act, and for other purposes; without amendment (Rept. No. 1872). Referred to the House Calendar.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 316. A joint resolution authorizing an appropriation in the sum of $12,350 to pay for the expenditures involved in the participation by the United States in the International Juridical Congress on Wireless Telegraphy to be held at Rome in 1928; with amendment (Rept. No. 1875). Referred to the Committee of the Whole House on the state of the Union.

Mr. PORTER: Committee on Foreign Affairs. H. J. Res. 317. A joint resolution authorizing an appropriation in the sum of $19,800 to pay for the expenditures involved in the participation by the United States in the International Telegraph Conference to be held at Brussels in 1928; without amendment (Rept. No. 1876). Referred to the Committee of the Whole House on the state of the Union.

Mr. GLYNN: Committee on Military Affairs. H. R. 13345. A bill to amend section 4826 of the Revised Statutes of the United States, as amended; without amendment (Rept. No. 1877). Referred to the Committee of the Whole House on the state of the Union.

Mr. JOHNSON of South Dakota: Committee on World War Veterans' Legislation. S. 2372. An act to amend section 201, subdivision (1), of the World War veterans' act, 1924, as amended; with amendment (Rept. No. 1881). Referred to the Committee of the Whole House on the state of the Union.

Mr. KIESS: Committee on Insular Affairs. H. R. 7010. A bill to amend the organic act of Porto Rico, approved March 2, 1917; without amendment (Rept. No. 1895). Referred to the House Calendar.

Mr. JAMES: Committee on Military Affairs. H. R. 12951. A bill providing for the purchase of 640 acres of land, more or less, immediately adjoining Camp Clark, at Nevada, Mo., and authorizing an appropriation therefor; without amendment (Rept. No. 1896). 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. MacGREGOR: Committee on Accounts. H. Res. 183. A resolution to pay Jennie K. Hunt, clerk to the late Hon. A. E. B. Stephens, a sum equal to one month's salary (Rept. No. 1863). Ordered to be printed.

Mr. MacGREGOR: Committee on Accounts. H. Res. 220. A resolution to pay a sum not to exceed $500 to Kate Gilbert for expenses of William R. Palmer, late an employee of the House of Representatives (Rept. No. 1864). Ordered to be printed.

Mr. MacGREGOR: Committee on Accounts. H. Res. 210. A resolution to pay six months' salary and $250 to the widow of David Beattie, late an employee of the House of Representatives (Rept. No. 1865). Ordered to be printed.

Mr. HALE: Committee on Naval Affairs. H. R. 1939. A bill for the relief of James M. Thomas; without amendment (Rept. No. 1873). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 9072. A bill for the relief of Louis A. Yorke; without amendment (Rept. No. 1874). Referred to the Committee of the Whole House.

Mr. WARE: Committee on Claims. H. R. 8511. A bill for the relief of the American Foreign Trade Corporation and Fils d'Aslan Fresco; without amendment (Rept. No. 1878). Referred to the Committee of the Whole House.

Mr. CELLER: Committee on Claims. H. R. 12007. A bill for the relief of Mr. and Mrs. Peter J. Egan; with amendment (Rept. No. 1879). Referred to the Committee of the Whole House.

Mr. UNDERHILL: Committee on Claims. S. 3030. An act for the relief of Southern Shipyard Corporation; without amendment (Rept. No. 1880). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. H. R. 1320. A bill for the relief of James W. Pringle; without amendment (Rept. No. 1885), Referred to the Committee of the Whole House.

Mr. JOHNSON of Illinois: Committtee on Military Affairs. H. R. 2069. A bill for the relief of Squire J. Holly; without amendment (Rept. No. 1886). Referred to the Committee of the Whole House.

Mr. HOFFMAN: Committee on Military Affairs. H. R. 3460. A bill for the relief of First Lieut. Frank Z. Pirkey; without amendment (Rept. No. 1887). Referred to the Committee of the Whole House.

Mr. HALE: Committee on Naval Affairs. H. R. 6907. A bill for the relief of John Marks, alias John Bell; without amendment (Rept. No. 1888). Referred to the Committee of the Whole House.

Mr. WAINWRIGHT: Committee on Military Affairs. H. R. 8974. A bill authorizing the President to order Oren W. Rynearson before a retiring board for a hearing of his case and upon the findings of such board determine whether or not he be placed on the retired list with the rank and pay held by him at the time of his resignation; without amendment (Rept. No. 1889). Referred to the Committee of the Whole House.

Mr. VINSON of Georgia: Committee on Naval Affairs. H. R. 9168. A bill for the relief of Simon A. Richardson; without amendment (Rept. No. 1890). Referred to the Committee of the Whole House.

Mr. BURDICK: Committee on Naval Affairs. H. R. 10015. A bill authorizing the promotion on the retired list of the Navy of Herschel Paul Cook, lieutenant (junior grade); without amendment (Rept. No. 1891). Referred to the Committee of the Whole House.

Mr. SPEAKS: Committee on Military Affairs. H. R. 10244. A bill to credit the accounts of Richings J. Shand, United States property and disbursing officer, Illinois National Guard; without amendment (Rept. No. 1892). Referred to the Committee of the Whole House.

Mr. FROTHINGHAM: Committee on Military Affairs. H. R. 11343. A bill for the relief of Frank C. Russell; without amendment (Rept. No. 1893). Referred to the Committee of the Whole House.

Mr. REECE: Committee on Military Affairs. S. 652. An act for the relief of Edgar Travis, sr.; without amendment (Rept. No. 1894). Referred to the Committee of the Whole House.

PUBLIC BILLS AND RESOLUTIONS

Under clause 3 of Rule XXII, public bills and resolutions were introduced and severally referred as follows:

By Mr. COLLINS: A bill (H. R. 14030) to authorize the Secretary of Agriculture to create a corporation for the purpose of making loans to farm organizations, and for other purposes; to the Committee on Agriculture.

By Mr. DEAL: A bill (H. R. 14031) to amend the act entitled "An act for the relief of contractors and subcontractors for the post offices and other buildings and work under the supervision of the Treasury Department, and for other purposes," approved August 25, 1919, as amended by act of March 6, 1920; to the Committee on Public Lands.

By Mr. BRITTEN: A bill (H. R. 14032) relating to the Virgil Michael Brand collection of coins; to the Committee on the Library.

By Mr. VINSON of Georgia: A bill (H. R. 14033) for the relief of the leaders of the United States Navy Band and the United States Marine Corps Band, and for other purposes; to the Committee on Naval Affairs.

By Mr. CASEY: A bill (H. R. 14034) to establish a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Wyoming; to the Committee on the Library.

By Mr. VINSON of Georgia: A bill (H. R. 14035) to clarify section 12 of the act approved June 10, 1922, as amended; to the Committee on Naval Affairs.

By Mr. HOWARD of Nebraska: A bill (H. R. 14036), authorizing the establishment and maintenance of a home for aged and indigent Indians; to the Committee on Indian Affairs.

By Mr. TABER: A bill (H. R. 14037) to authorize an appropriation for the erection of a suitable memorial monument and the improvement of the grounds at the birthplace of Millard Fillmore, former President of the United States; to the Committee on the Library.

By Mr. WAINWRIGHT: A bill (H. R. 14038) to amend the national defense act so as to reestablish the Regular Army Reserve as a component of the Regular Army, and for other purposes; to the Committee on Military Affairs.

By Mr. BRITTEN: A bill (H. R. 14039) to regulate the distribution and promotion of commissioned officers of the line

of the Navy, and for other purposes; to the Committee on Naval Affairs.

By Mr. ENGLEBRIGHT: A bill (H. R. 14040) to authorize the payment of three months' pay to certain clerical assistants in the legislative branch of the Government; to the Committee on Accounts.

By Mr. TILSON: Resolution (H. Res. 225) to provide for the printing of the proceedings and debate in the House of Representatives on Senate Joint Resolution 47, proposing amendments to the Constitution to change the dates of the terms of the President, Vice President, Senators, and Representatives; to the Committee on Printing.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. ALLEN: A bill (H. R. 14041) granting a pension to Nancy Green Lemley; to the Committee on Invalid Pensions.

By Mr. BLOOM: A bill (H. R. 14042) granting a pension to Catharine Hoyt; to the Committee on Invalid Pensions.

By Mr. BRIGHAM: A bill (H. R. 14043) granting an increase of pension to Clara Bradley Niles; to the Committee on Invalid Pensions.

By Mr. CANNON: A bill (H. R. 14044) granting a pension to George H. Roberts; to the Committee on Invalid Pensions.

By Mr. CRAIL: A bill (H. R. 14045) granting a pension to Albert Galpin; to the Committee on Invalid Pensions.

By Mr. DEAL: A bill (H. R. 14046) for the relief of John T. Riley; to the Committee on Naval Affairs.

Also a bill (H. R. 14047) for the relief of James J. Bradshaw; to the Committee on Claims.

By Mr. DRANE: A bill (H. R. 14048) to authorize the appointment of First Lieut. Leslie H. Blank, retired, to the grade of captain, retired, in the United States Army; to the Committee on Military Affairs.

By Mr. FENN: A bill (H. R. 14049) directing the Secretary of War to determine and report claims for private property losses at Morgan, N. J., October 4, and October 5, 1918; to the Committee on War Claims.

By Mr. FURLOW: A bill (H. R. 14050) granting a pension to Elizabeth Casseday; to the Committee on Invalid Pensions.

By Mr. JACOBSTEIN: A bill (H. R. 14051) granting a pension to Cecelia J. Swift; to the Committee on Pensions.

By Mr. JEFFERS: A bill (H. R. 14052) authorizing the President to reappoint Edward D. McLaughlin, formerly a second lieutenant of Infantry, United States Army, a second lieutenant of Infantry, United States Army; to the Committee on Military Affairs.

By Mrs. LANGLEY. A bill (H. R. 14053) granting a pension to Philip Koerper; to the Committee on Pensions.

By Mr. McKEOWN: A bill (H. R. 14054) granting an increase of pension to Rosana Henson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 14055) granting a pension to William M. Keiffer; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 14056) granting an increase of pension to Catherine McDonald; to the Committee on Invalid Pensions.

By Mr. WHITEHEAD: A bill (H. R. 14057) for the relief of Edmund F. Hubbard; to the Committee on Military Affairs.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

7775. By Mr. BLOOM: Petition of certain citizens of the United States, who urge the passage of House Joint Resolution 27, providing for the celebration of the one hundred and fiftieth anniversary of the death of Gen. Casimir Pulaski, and for the establishment of a Pulaski sesquicentennial commission; firmly and honestly believing that the distinguished services rendered to the United States in its war for independence by this Polish patriot merits such recognition; to the Committee on the Library.

7776. By Mr. CRAIL: Petition of ninth district chamber of commerce of Los Angeles, Calif., favoring the passage of the Box bill; to the Committee on Immigration and Naturalization.

7777. By Mr. CULLEN: Petition signed by citizens of New York, indorsing House Joint Resolution 27; to the Committee on the Library.

7778. By Mr. GARBER: Petition of Anti-Saloon League of America, International Order of Good Templars, Flying Squadron Foundation, etc., in support of House bill 9588; to the Committee on Invalid Pensions.

7779. Also, petition of National League of Woman Voters, Washington, D. C., in regard to Muscle Shoals; to the Committee on Military Affairs.

7780. By Mr. LINDSAY: Petition of the Brooklyn Chamber of Commerce, favoring House bill 8557, providing for foreign-trade zones and advising amendment providing for manufacture within foreign-trade zones; to the Committee on Foreign Affairs.

7781. Also, petition of the Brooklyn Chamber of Commerce, vigorously opposing House bill 8127, providing for the transfer of all river and harbor work from the War Department to the Department of the Interior, and favoring the remaining of such work in the hands of Army engineers; to the Committee on Rivers and Harbors.

7782. Also, petition of the Brooklyn Chamber of Commerce, urging the passage of House bill 11886 and Senate bill 3721, providing for the establishment of the office of captain of the port of New York and to define his duties; to the Committee on the Merchant Marine and Fisheries.

7783. By Mr. MEAD: Petition of North Tonawanda (N. Y.) Lodge, No. 860, Benevolent and Protective Order of Elks, with reference to the shooting of Jacob D. Hanson; to the Committee on Rules.

7784. By Mr. O'CONNELL: Petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., favoring the passage of House bill 11886 and Senate bill 3721, to establish the office of captain of the port of New York and to define his duties; to the Committee on Interstate and Foreign Commerce.

7785. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., opposing the passage of House bill 8127, providing for the transfer of all river and harbor work from the War Department to the Interior Department; to the Committee on Expenditures in the Executive Departments.

7786. Also, petition of the Brooklyn Chamber of Commerce, Brooklyn, N. Y., favoring the passage of Senate bill 742 and House bill 8557, to provide for foreign trade zones; to the Committee on Interstate and Foreign Commerce.

7787. By Mr. TABER: Petition of citizens of Rochester, N. Y., urging the passage of House Joint Resolution 27, providing for the celebration of the one hundred and fifteenth anniversary of the death of Gen. Casimir Pulaski; to the Committee on the Library.

7788. By Mr. YATES: Petition of voters of Chicago, Ill., urging the passage of a pension bill increasing the pension of widows of Civil War veterans to $50 per month; to the Committee on Invalid Pensions.