By Mr. SIMS: A bill (H. R. 11245) to amend an act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917; to the Committee on Interstate and Foreign Commerce.

By Mr. RAKER: A bill (H. R. 11246) to prescribe the personnel of the Army Nurse Corps, the qualifications for appointment, and the method of appointment therein; the method of discharge, removal, and relief from duty; the rank, pay, allowances, and leave of absence of members of said corps; and the conditions under which they may be retired; to the Committee on Military Affairs.

By Mr. WEBB: A bill (H. R. 11247) providing for the protection of the uniform of friendly nations, and for other purposes; to the Committee on the Judiciary.

By Mr. FRENCH: A bill (H. R. 11248) amending section 2 of an act entitled "An act to pension the survivors of certain Indian wars from January 1, 1859, to January, 1891, inclusive, and for other purposes"; to the Committee on Pensions.

By Mr. CURRY of California: A bill (H. R. 11249) to amend section 19 of an act to prohibit the manufacture, distribution, storage, use, and possession in time of war of explosives, providing regulations for the safe manufacture, distribution, storage, use, and possession of the same, and for other purposes, approved October 6, 1917; to the Committee on Mines and Mining.

By Mr. FLOOD: Resolution (H. Res. 303) requesting the United States Food Administration to furnish to the House of Representatives information relative to its activities; to the Committee on Foreign Affairs.

By Mr. DAVILA: Joint resolution (H. J. Res. 276) extending the operation of the act providing for the promotion of vocational education in the several States of the Union to Porto Rico; to the Committee on Education.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. CANTRILL: A bill (H. R. 11250) granting an increase of pension to Josiah B. Magruder; to the Committee on Invalid Pensions.

By Mr. KING: A bill (H. R. 11251) granting a pension to Joseph J. Johnson; to the Committee on Pensions.

By Mr. RAMSEYER: A bill (H. R. 11252) granting an increase of pension to Charles J. Smith; to the Committee on Invalid Pensions.

By Mr. RUBEY: A bill (H. R. 11253) granting an increase of pension to William T. Abel; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11254) granting an increase of pension to Lafayette Murry; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11255) granting a pension to Lucinda Hewkin; to the Committee on Invalid Pensions.

By Mr. COOPER of Wisconsin: A bill (H. R. 11256) granting an increase of pension to Charles A. Wilson; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. DALE of New York: Memorial of Tacoma (Wash.) Business Women's Club and executive committee of the Authors' League of America, opposing the zone system as to second-class mail matter; to the Committee on Ways and Means.

By Mr. DAVILA: Communication from the Teachers' Association of Porto Rico, expressing appreciation and gratitude to the President and Congress of the United States for conferring a larger measure of self-government and full citizenship upon that island and pledging loyalty and support of the Government in the world war; to the Committee on Insular Affairs.

By Mr. DILL: Petition of Sherman Grange, No. 421, of Kettle Falls, Wash., relative to regulating food prices; to the Committee on Agriculture.

By Mr. DOOLING: Petition of the American Game Protective and Propagation Association, opposing the second-class postage rates of the war-revenue act; to the Committee on Ways and Means.

By Mr. HILLIARD: Resolutions adopted by the Albuquerque (N. Mex.) Woman's Club, protesting against increased postage rates on periodicals; to the Committee on Ways and Means.

Also, petition of T. D. Cobbey, Charles H. More, Thomas E. Gray, and 14 others, all of Denver, Colo., praying for immediate war prohibition; to the Committee on the Judiciary.

By Mr. JOHNSON of Washington: Petition of members of the Pierce County Medical Society, Tacoma, Wash., favoring House bill 9563; to the Committee on Military Affairs.

Also, resolutions of the board of trustees of the Tacoma Commercial Club and Chamber of Commerce, Tacoma, Wash., favoring House bill 9286; to the Committee on Military Affairs.

Also, petition of various citizens and members of the United Spanish War Veterans of Tacoma, Wash., favoring the passage of House bill 1736; to the Committee on Pensions.

By Mr. KELLEY of Michigan: Petition of Rev. Ira W. Cargo and 52 other residents of Clarkston, Mich., urging prohibition as a war measure; to the Committee on the Judiciary.

Also, resolution of Flushing (Mich.) Farmers' Club, urging prohibition as a war measure; to the Committee on the Judiciary.

By Mr. LUFKIN: Memorial of the Legislature of the State of Massachusetts, relating to the independence of Ireland; to the Committee on Foreign Affairs.

By Mr. NOLAN: Petition of Langley & Michaels Co., Electric Appliance Co., Levi Strauss & Co., all of San Francisco, Cal., and Adolph Lewisohn, of New York, N. Y., favoring Senate bill 3963 and House bill 10526; to the Committee on Ways and Means.

By Mr. STINESS: Petition of Employers' Association of Rhode Island, protesting against section of naval appropriation bill on page 77, lines 9 to 22; to the Committee on Naval Affairs.

By Mr. TAGUE: Memorial of the Boston Surgical Society, urging the passage of House bill 9563 and Senate bill 3748; to the Committee on Military Affairs.

By Mr. VARE: Memorial of Rotary Club, of Chester, Pa., asking for the establishment of military tribunals for those showing treasonable intent or committing disloyal acts; to the Committee on Military Affairs.

SENATE.

SATURDAY, *April 6, 1918.*

Rev. J. J. Muir, D. D., of the city of Washington, offered the following prayer:

Our Father, upon this anniversary day, so fateful in our national and international history, we would again set up our banners in the confidence of the righteousness of our cause and in the belief that our God is on our side. Grant, we beseech of Thee, in these days of renewed sacrifice and enlarged patriotism, that there may be an increased devotion on the part of the people to meet the demands of the hour. May Thy blessing rest upon those high in authority and in all the various phases of governmental responsibility. Hear our prayer. Bless also those beyond the seas who represent us, and may the grace of Thy wisdom be imparted to all in this hour. We ask for Thine own name's sake. Amen.

The Vice President being absent, the President pro tempore assumed the chair.

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

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by G. F. Turner, one of its clerks, announced that the House had passed the bill (S. 4102) granting the consent of Congress to the county commissioners of Bonner County, Idaho, to construct a bridge across the Clark Fork River in Bonner County, Idaho.

The message also announced that the House 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. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919.

The message further announced that the House 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. 2316) to promote export trade, and for other purposes.

The message also announced that the House agrees to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 383) to punish the destruction or injury of war material and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, and for other purposes.

The message further announced that the House 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

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

(H. R. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women.

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

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

ENROLLED BILLS SIGNED.

The message further announced that the Speaker of the House had signed the following enrolled bills, and they were thereupon signed by the President pro tempore:

S. 3400. An act to regulate the pay of retired chief warrant officers and warrant officers on active duty; and

S. 3994. An act to amend an act entitled "An act to authorize condemnation proceedings of lands for military purposes," approved July 2, 1917, and for other purposes.

THIRD LIBERTY LOAN.

Mr. THOMPSON. Mr. President, I have here a short statement denominated "Nation's pledge for liberty day, indorsed by the President." It appears in this morning's Washington Herald. I should like to have it printed in the RECORD, together with a short statement of Secretary McAdoo, showing the importance of the campaign for the third liberty loan.

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

THE PRESIDENT TAKES THIS OATH—WHY NOT YOU?

On the anniversary of America's entry into the great war I affirm my undivided loyalty to the cause for which we fight—the cause of justice and human liberty. I gladly lay upon the altar of the Nation's need my material possessions, my bodily strength, and my mental powers to serve and to save America and those ideals for which it stands, and to keep the Stars and Stripes on high with honor, I pledge my hand, my heart, and my life. (Nation's pledge for liberty day, indorsed by President Wilson.)

URGES PATRIOTIC RESPONSE TO DUTY'S CALL.

[By William G. McAdoo, Secretary of the Treasury of the United States.]

The campaign for the third liberty loan will be opened to-day, the first anniversary of the declaration of a state of war between the United States and Germany.

This date will forever be a consecrated day in American history, and it seems peculiarly appropriate that the opening of the second year of our participation in this war for the honor and rights of America and the freedom of the world should be celebrated with a nation-wide drive for another liberty loan.

The campaign should begin with great demonstrations of patriotism in every city, town, and hamlet in the country that will truly express the spirit of aroused America.

On this date every American should pledge anew to his Government the full measure of his resources and resolve to make every required sacrifice in the same fervent spirit that impels our gallant sons in the trenches of France and on the waters of the Atlantic to shed their blood in America's sacred cause.

To carry forward America's essential part in this war for righteousness and justice, every man and woman in the country must lend their available means to the Government; and I know of no more fitting time for such a patriotic response to the call of duty than the beginning of the second year of the war.

W. G. MCADOO.

PETITIONS AND MEMORIALS.

Mr. LODGE. I present sundry resolutions of the Legislature of Massachusetts, which I ask may be printed in the RECORD.

The resolutions are as follows:

THE COMMONWEALTH OF MASSACHUSETTS, IN THE YEAR 1918.

Resolutions requesting Congress to provide for public ownership and operation of coal mines.

Whereas the inhabitants of this Commonwealth have suffered severely from the exactions of the present operators of the coal mines, who have frequently driven their employees to desperation by their inhuman treatment, have failed to provide sufficient coal when it was greatly needed by the public, and have charged exorbitant prices for such coal as has been procurable; and

Whereas it is the opinion of the General Court of Massachusetts that public ownership and operation of coal mines would be of great advantage to the citizens of this Commonwealth: Therefore be it

Resolved, That the General Court of Massachusetts respectfully requests the enactment of legislation by Congress providing for public ownership and operation of coal mines; and

Resolved, That the Senators and Representatives from Massachusetts in Congress are hereby earnestly requested to make every proper effort to secure the quick passage of the legislation aforesaid; and that copies of these resolutions be sent to them, and also to the clerk of each branch of Congress, by the secretary of the Commonwealth.

In house of representatives, adopted, March 21, 1918.

In senate, adopted, in concurrence, March 26, 1918.

A true copy.

Attest:

ALBERT P. LANGLEY,
Secretary of the Commonwealth.

THE COMMONWEALTH OF MASSACHUSETTS, IN THE YEAR 1918.

Resolutions in favor of free railroad transportation for soldiers and sailors in the service of the United States.

Resolved, That the General Court of Massachusetts hereby expresses its opinion that the War Department should furnish free transportation on the steam railroads of the Commonwealth of Massachusetts for all soldiers and sailors in the service of the United States; and be it further

Resolved, That copies of these resolutions be sent by the secretary of the Commonwealth to the Secretary of War and to each of the Senators and Representatives in Congress from this Commonwealth.

OFFICE OF THE SECRETARY,
Boston, March 26, 1918.

A true copy of resolutions adopted at the present session by the Senate and House of Representatives of Massachusetts, in general court assembled.

Attest:

ALBERT P. LANGLEY,
Secretary of the Commonwealth.

Mr. LODGE presented a petition of the Boston Surgical Society, of Massachusetts, praying for the enactment of legislation providing advanced rank for officers of the Medical Corps in the Army, which was referred to the Committee on Military Affairs.

Mr. NELSON presented resolutions adopted at a mass meeting of sundry citizens of Fergus Falls, Minn., favoring universal military training, which were referred to the Committee on Military Affairs.

LANDS IN POINSETT COUNTY, ARK.

Mr. ROBINSON. I desire to submit a telegram from the Chamber of Commerce of the city of Jonesboro, Ark.; a letter from A. B. Jones Co.; a letter from E. C. Barton; a letter from the president and secretary of the Chamber of Commerce of Jonesboro; a letter from Gordon Matthews, and another from H. A. Elder, and still another from Hon. J. F. Gautney, relative to a bill introduced by the junior Senator from Tennessee [Mr. MCKELLAR], on April 6, 1917, to relinquish and quitclaim to the trustees of the Hatchie Coon Hunting and Fishing Club title to certain lands in Poinsett County, Ark. I ask that these communications be referred to the Committee on Public Lands, to accompany the bill.

The PRESIDENT pro tempore. Without objection, the papers will be referred to the Committee on Public Lands.

AMERICAN RED CROSS.

Mr. OWEN. Mr. President, I send to the desk the bill (S. 3911) authorizing national banks to subscribe to the American National Red Cross, with a favorable report from the Committee on Banking and Currency. It proposes that the directors of national banks shall have the right to subscribe to the Red Cross if they see fit to do so. I think it will be an unobjected bill, and I would be glad to have it acted on now.

Mr. SMOOT. Let the bill be read.

The PRESIDENT pro tempore. The Secretary will read the bill.

The Secretary read the bill, as follows:

Be it enacted, etc., That during the continuance of the state of war now existing it shall be lawful for any national banking association to contribute to the American National Red Cross, out of any net profits otherwise available under the law for the declaration of dividends, such sum or sums as the directors of said association shall deem expedient. Each association shall report to the Comptroller of the Currency within 10 days after the making of any such contribution the amount of such contribution and the amount of net earnings in excess of such contribution. Such report shall be attested by the president or cashier of the association in like manner as the report of the declaration of any dividend.

SEC. 2. That all sums so contributed shall be utilized by the American National Red Cross in furnishing volunteer aid to the sick and wounded of the combatant armies, the voluntary relief of the Army and Navy of the United States, and the relief and mitigation of the suffering caused by the war to the people of the United States and their allied nations.

The PRESIDENT pro tempore. Is there objection to the present consideration of the bill?

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

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

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

The PRESIDENT pro tempore. The Senator from North Carolina suggests the absence of a quorum. The Secretary will call the roll.

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

Ashurst	France	Jones, N. Mex.	Norris
Beckham	Frelinghuysen	Jones, Wash.	Overman
Chamberlain	Gallinger	Kellogg	Owen
Colt	Gore	Kendrick	Page
Culberson	Hale	King	Phelan
Cummins	Harding	Lodge	Pittman
Curtis	Hardwick	McKellar	Poindexter
Dillingham	Henderson	McNary	Pomerene
Fall	Hitchcock	Martin	Ransdell
Fernald	Hollis	Myers	Reed
Fletcher	James	New	Saulsbury

Shafroth	Smith, S. C.	Thompson	Wadsworth
Sheppard	Smoot	Tillman	Walsh
Sherman	Sterling	Townsend	Warren
Shields	Stone	Trammell	
Smith, Ariz.	Swanson	Underwood	
Smith, Ga.	Thomas	Vardaman	

The PRESIDENT pro tempore (Mr. SAULSBURY). I desire to announce the absence of my colleague [Mr. WOLCOTT] on important public business.

Mr. HENDERSON. I wish to announce the absence of the Senator from Idaho [Mr. NUGENT] from the Chamber on account of illness. I ask that this announcement may stand for the day.

Mr. BECKHAM. I desire to announce that the Senator from Arkansas [Mr. ROBINSON] is detained on official business.

The PRESIDENT pro tempore. Sixty-five Senators have answered to their names. There is a quorum present. The question is on the passage of the bill reported from the Committee on Banking and Currency.

The bill was passed.

PUNISHMENT OF SEDITIOUS ACTS AND UTTERANCES.

Mr. OVERMAN. Mr. President, I send forward several telegrams, which I ask the Secretary to read.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

ST. LOUIS, MO., *April 5, 1918.*

Senator OVERMAN,
Chairman Judiciary Committee, United States Senate,
Washington, D. C.:

I feel it my duty in view of the lamentable happening in Collinsville last night to urge upon your committee the necessity of the enactment of more stringent laws and their more vigorous enforcement with respect to disloyalty along the lines of the measure reported by your committee. The lynching of Robert Prager was the direct result of a widespread feeling in this community that the Government will not punish disloyalty, and although I depreciate the existence of this feeling, it is nevertheless not without some foundation. We have repeatedly reported to Federal authorities cases of disloyalty where no action has been taken, and probably could not be taken, by reason of the inadequacy of the law. Such a case occurring in this community last Sunday contributed directly to Thursday night's tragedy. This spirit is not confined to Collinsville but is universal in this section; all local officers are opposed to such lawlessness; but its spirit can be overcome only by such legislation and its enforcement as your committee proposes.

J. H. SIEGEL,
Mayor of Collinsville, Ill.

ADRAIN, MICH., *April 4, 1918.*

Hon. LEE S. OVERMAN,
The United States Senate, Washington, D. C.:

The State War Committee for Lenawee County earnestly urges the enactment of legislation embodying the substance of Senator POINDEXTER'S amendment regarding disloyal acts and utterances. Many exasperating cases of disloyalty have arisen in this county, but local public officials and patriotic workers can get no action from Department of Justice at Detroit, owing to weakness of existing law. This will surely result in acts of violence unless legal redress can be obtained.

LENAWEE COUNTY WAR COMMITTEE,
By STUART H. PERRY, *Secretary.*

ADRIAN, MICH., *April 4, 1918.*

Hon. LEE S. OVERMAN,
The United States Senate, Washington, D. C.:

The patriotic league of Lenawee County most heartily approves the amendments of Senator POINDEXTER and Senator KING touching disloyal acts and utterances and German publications, and urges that such legislation be speedily enacted and rigorously enforced.

ROBERT DARNTON, *President.*
R. C. ROTHFUSS, *Secretary.*

STATEMENT BY THEODORE ROOSEVELT.

Mr. OVERMAN. Mr. President, I saw an article in the Washington Post this morning headed "Roosevelt denounces provision in the pending disloyalty bill." I read one paragraph from that article:

The Senate Judiciary Committee has just recommended the passage of a law in which, among many excellent propositions to put down disloyalty, there has been adroitly inserted a provision that anyone who uses "contemptuous or slurring language about the President" shall be punished by imprisonment for a long term of years and by a fine of many thousand dollars.

Mr. President, every Senator here will bear me out that that statement is not true. It is a false statement, and if Mr. Roosevelt has the courage and the love of truth that he formerly had he will apologize publicly to the Judiciary Committee and to the people of the United States.

Mr. HARDWICK. I am not an apologist nor a defender of Mr. Roosevelt, but my impression is that the Senator from Washington [Mr. POINDEXTER] introduced an amendment which was pending before your committee which would have done just that.

Mr. OVERMAN. No; the article says "the bill now pending before the Senate."

Mr. HARDWICK. I think he probably fell into a very natural error on account of the Senator from Washington introducing the amendment.

Mr. OVERMAN. I have quoted the words, and the Senator from Georgia knows they are not true.

Mr. HARDWICK. Undoubtedly, but the Senator from Washington offered such an amendment in the committee, if I read the press report correctly, which provided exactly that.

Mr. OVERMAN. I do not think it did.

Mr. HARDWICK. I never rely on newspaper reports, but——

Mr. OVERMAN. I do not either.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. OVERMAN. Yes; I want the Senator to tell the truth about this matter.

Mr. POINDEXTER. I want to correct the apprehension of the Senator from Georgia, or rather the newspaper report that he refers to. I did not see the newspaper report, but I never proposed or conceived any such amendment as that referred to. The amendment that I offered was in substance a provision to punish those who support and favor the cause of Germany in this war, and that is about all there is to it, and I think that that is about all that is necessary. This country is filled with people who are going about spreading German propaganda, eulogizing Germany, the German Army, the German Kaiser, and the German cause in this war.

Not very long ago, for some strange reason—I suppose through misinformation—there was an effort here to get the Senate to make a man a brigadier general in the United States Army who had gone about the United States saying that the Germans were justified in sinking the *Lusitania;* that the United States had no reason to enter this war; and that the American people would find out how big a mistake they had made in going into it as soon as their maimed and crippled soldiers began to return from the battle field.

My amendment is not only to prevent a man from being put in command in the Army of the United States who entertains those views but to put him in jail. That is where he ought to be.

Mr. HARDWICK. Will the Senator from Washington be good enough to present to the Senate during this debate the amendment exactly as he offered it in committee?

Mr. POINDEXTER. These are the words, beginning at line 16, page 3:

Whoever shall by word or act support or favor the cause of the German Empire or its allies in the present war or by word or act oppose the cause of the United States therein, shall be punished.

Mr. HARDWICK. Was that the only amendment the Senator offered? It went no further than that?

Mr. POINDEXTER. No; that was not all the amendment that I offered. It went further than that, but it was very similar in its nature to this.

Mr. HARDWICK. Will the Senator do me the kindness and the Senate the justice of printing in the Record the entire amendment he did offer?

Mr. POINDEXTER. Oh, yes; I shall take pleasure in doing that. I should like to see the entire amendment adopted, but it has no relation whatever to the suggestion that the Senator spoke of a while ago.

The amendment in full, which I would like to see adopted as offered, but which was only reported in part, though I think the part reported will, if properly enforced, accomplish the object in view, is as follows:

Mr. POINDEXTER submitted the following amendment: Page 2, line 12, before the words "shall be punished," insert the following: "or whoever shall by word or act support or favor the cause of Germany in the present war or by word or act oppose the cause of the United States in the present war against Germany, or whoever shall make any statement or do any act which in its probable effect upon public opinion, or otherwise, shall tend to aid Germany or to be of disadvantage to the United States in the conduct of said war."

Mr. OVERMAN. None whatever, Mr. President. I want here to print the bill, and every Senator here will bear me out that there is not a word of truth in the statement Mr. Roosevelt has made.

Mr. WALSH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. OVERMAN. I yield.

Mr. WALSH. Before the Senator passes from that I want to inquire of him whether at any time an amendment was offered in the Judiciary Committee such as was suggested by the Senator from Georgia?

Mr. OVERMAN. Never at any time. The committee considered the matter and discussed the question whether the bill might not be construed that way and decided to narrow it so that it could not be done.

Mr. WALSH. That is not the question. The question is whether such an amendment was ever offered or considered by the committee.

Mr. OVERMAN. It was never offered and never considered.

Mr. WALSH. Let me ask the Senator another question. The statement of Col. Roosevelt just spoken of refers to a bill which has been reported by the Senate Judiciary Committee. It is perfectly obvious that the bill which is now the unfinished business contains no such language, but I ask the Senator if any other bill reported from the Judiciary Committee contains such language?

Mr. OVERMAN. No bill of that kind was ever reported or ever considered by the Judiciary Committee, but Col. Roosevelt denounces the pending bill, and I want him to see that he has made a false statement; probably he has been misinformed. I say now, again, that if he has his old-time manhood and is a lover of truth and courage he will apologize to the people of this country; and I give him the opportunity by sending the bill to the desk and asking that it be printed in the RECORD, so as to let him see it.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that a copy of the bill now under consideration be printed in the RECORD. Is there objection? The Chair hears none, and it is so ordered.

The bill referred to, as reported by the Committee on the Judiciary, is as follows:

Be it enacted, etc., That section 3 of title 1 of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917, be, and the same is hereby, amended so as to read as follows:

"SEC. 3. Whoever, when the United States is at war, shall willfully make or convey false reports or false statements with intent to interfere with the operation or success of the military or naval forces of the United States or to promote the success of its enemies, or shall willfully make or convey false reports or false statements, or say or do anything except by way of bona fide and not disloyal advice to an investor or investors, with intent to obstruct the sale by the United States of bonds or other securities of the United States or the making of loans by or to the United States, and whoever, when the United States is at war, shall willfully cause or attempt to cause, or incite or attempt to incite, insubordination, disloyalty, mutiny, or refusal of duty, in the military or naval forces of the United States, or shall willfully obstruct or discourage or willfully attempt to obstruct or discourage the recruiting or enlistment service of the United States, and whoever, when the United States is at war, shall utter, print, write, or publish any disloyal, profane, scurrilous, contemptuous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or any language calculated to bring the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States into contempt, scorn, contumely, or disrepute, or shall utter, print, write, or publish any language calculated to incite or inflame resistance to any duly constituted Federal or State authority in connection with the prosecution of the war, or shall display the flag of any foreign enemy, or shall by utterance, writing, printing, publication, or language spoken, urge, incite, or advocate any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war, and whoever shall advocate, favor, teach, defend, or suggest the doing of any of the acts or things in this section enumerated, and whoever shall by word or act support or favor the cause of the German Empire or its allies in the present war or by word or act oppose the cause of the United States therein, shall be punished by a fine of not more than $10,000 or imprisonment for not more than 20 years, or both."

Mr. THOMAS. Mr. President, will the Senator from North Carolina yield to me for a moment?

Mr. OVERMAN. I yield.

Mr. THOMAS. I think we are making altogether too much out of a comparatively trivial incident. In all probability the only result will be to place the Senator from North Carolina [Mr. OVERMAN] and the Senator from Montana [Mr. WALSH] in the Ananias Club. [Laughter.]

Mr. OVERMAN. Somebody else also may go there.

Mr. REED and Mr. LODGE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. OVERMAN. I yield to the Senator from Missouri?

Mr. REED. It looks to me very much more like an attempt on the part of Col. Roosevelt to qualify for membership in one of his own clubs. [Laughter.]

Mr. LODGE. Mr. President——

Mr. OVERMAN. I yield to the Senator from Massachusetts.

Mr. LODGE. Of course, the Senator from North Carolina states the truth. There is no such provision in the bill, and none such has been reported. I think the mistake arose from the fact that it was printed in the Washington Post, where I saw it, and I have no doubt in other newspapers all over the country, that the Judiciary Committee had adopted an amendment containing the precise sentence on which Col. Roosevelt comments. I know no such amendment was ever adopted by the committee; but that was given out by the press. I saw it myself.

Mr. OVERMAN. I said in my remarks that I thought Col. Roosevelt had been misinformed, and I want him to see that he is. I say again that if he has any manhood or any truth left in him, he will apologize, because he says the Judiciary Committee had adroitly put it in, and he quotes the words. I say probably he is misinformed. I am not denouncing him. I will wait and see what he does.

Mr. BORAH and Mr. KELLOGG addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. OVERMAN. I yield to the Senator from Idaho.

Mr. BORAH. Mr. President, the Senator from North Carolina, of course, is entirely correct in his statement that no such language as is quoted in Col. Roosevelt's article was ever considered by the committee, and certainly not to my knowledge was it ever reported out of the committee in any bill; but, Mr. President, I did read in one of the New York papers that precise language, and I went myself and reread the bill after reading that report in the newspapers.

Mr. LODGE. So did I. That was stated specifically.

Mr. BORAH. I knew there must be an error.

Mr. GORE. Mr. President——

Mr. BORAH. I think the error crept in by—well, the way the language was framed in the report, it read as if the President was specifically named; but it might have been simply the conclusion of the reporter.

Mr. KELLOGG and Mr. GORE addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield, and if so, to whom?

Mr. OVERMAN. I yield to the Senator from Minnesota.

Mr. KELLOGG. The Senator from Idaho has stated substantially what I was going to state. I saw this in the press, and it was stated so specifically as an amendment which had been reported by the Judiciary Committee that I supposed it was in the bill until the bill was brought before the Senate for discussion the other day. I think the Senator from North Carolina should not accuse Col. Roosevelt of falsehood under those circumstances.

Mr. OVERMAN. I did not do so. I said that I would have the bill printed in the RECORD for him to see; that I thought he had been misinformed; and I said that if he had been misinformed I believed he would not want to mislead the American people.

Mr. KELLOGG. I do not think he does.

Mr. OVERMAN. I do not think he intends to make a false statement, and, therefore, I bring to his attention the bill and will let him see that he has made a mistake, probably unwittingly. I do not charge that he did it wittingly.

Mr. KELLOGG. I am sure he did not.

Mr. GORE and Mr. SMOOT addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. OVERMAN. I yield to the Senator from Oklahoma.

Mr. GORE. Mr. President, I was trying to obtain the floor either while the Senator from Idaho [Mr. BORAH] or the Senator from Minnesota [Mr. KELLOGG] was on the floor.

It is certain that the language quoted by Mr. Roosevelt is not contained in the bill; and I was intending to inquire whether or not the fact that the President is Commander in Chief of the Army and Navy would, by legal implication, bring him within the terms of the bill.

Mr. OVERMAN. Certainly not. That is understood by every one. That has not been contended by anybody who has read the bill.

Mr. SMOOT. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Utah?

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

Mr. SMOOT. Mr. President, not only have the people in the East seen the same statement in the press generally, but the people of the West have also seen that same statement published in newspapers there, for I have received a number of letters complaining of the bill and quoting the exact language as quoted by Col. Roosevelt in this article.

Mr. OVERMAN. Therefore what I am asking is that Col. Roosevelt may have an opportunity to see the language of the bill. I again repeat that if he has got the courage I always thought he had and his love of truth, as I think he has and as he used to have, he will state the truth about it.

Mr. STONE. Will the Senator from North Carolina permit me to interrupt him?

Mr. OVERMAN. I will.

Mr. STONE. I read former President Roosevelt's statement; and I desire to say there is no such language in the bill as stated by him; but I wonder—and I express that wonderment now—whether the former President merely wanted to get out of the zone of danger himself and leave everything else and everybody else subject to criticism, to arrest, and to indictment.

Mr. OVERMAN. I think we had better have the whole article put into the RECORD with the quotation marks around what ex-President Roosevelt said was in the bill, so that he may understand what our contention is.

The PRESIDENT pro tempore. Does the Senator from North Carolina request that the matter he refers to be printed in the RECORD?

Mr. OVERMAN. Yes.

The PRESIDENT pro tempore. Is there objection?

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

[From the Washington Post of Apr. 6, 1918.]

ROOSEVELT DENOUNCES PROVISION IN THE PENDING DISLOYALTY BILL.

KANSAS CITY, *April 5.*

The Kansas City Star to-morrow will publish the following editorial:

CITIZENS OR SUBJECTS.

(By Theodore Roosevelt.)

In a self-governing country the people are called citizens. Under a despotism or autocracy the people are called subjects. This is because in a free country the people are themselves sovereign, while in a despotic country the people are under a sovereign.

In the United States the people are all citizens, including its President. The rest of them are fellow citizens of the President. In Germany the people are all subjects of the Kaiser. They are not his fellow citizens, they are his subjects. That is the essential difference between the United States and Germany, but the difference would vanish if we now submitted to the foolish or traitorous persons who endeavor to make it a crime to tell the truth about the administration when the administration is guilty of incompetence or other shortcomings. Such endeavor is itself a crime against the Nation. Those who take such an attitude are guilty of moral treason of a kind both abject and dangerous.

WHERE LOYALTY IS DUE.

Our loyalty is due entirely to the United States. It is due to the President only and exactly to the degree in which he efficiently serves the United States. It is our duty to support him when he serves the United States well; it is our duty to oppose him when he serves it badly. This is true about Mr. Wilson now, and it has been true about all our Presidents in the past. It is our duty at all times to tell the truth about the President and about every one else, save in the cases where to tell the truth at the moment would benefit the public enemy.

Since this war began the suppression of the truth by and about the administration has been habitual. In rare cases this has been disadvantageous to the enemy. In the vast majority of cases it has been advantageous to the enemy, detrimental to the American people, and useful to the administration only from the political, not the patriotic, standpoint.

The Senate Judiciary Committee has just recommended the passage of a law in which, among many excellent propositions to put down disloyalty, there has been adroitly inserted a provision that anyone who uses "contemptuous or slurring language about the President" shall be punished by imprisonment for a long term of years and by a fine of many thousand dollars. This proposed law is sheer treason to the United States; under its terms Abraham Lincoln would have been sent to prison for what he repeatedly said of Presidents Polk, Pierce, and Buchanan. Under its terms President Wilson would be free to speak of Senator-elect LENROOT as he has spoken, but Senator LENROOT would not be free truthfully to answer President Wilson. It is a proposal to make Americans subjects instead of citizens. It is a proposal to put the President in the position of the Hohenzollerns and Romanoffs.

GOVERNMENT BY THE PEOPLE.

Government by the people means that the people have the right to do their own thinking and to do their own speaking about their public servants. They must speak truthfully, and they must not be disloyal to the country, and it is their highest duty by truthful criticism to make and keep the public servants loyal to the country. Any truthful criticism could and would be held by partisanship to be slurring or contemptuous. The Delaware House of Representatives has just shown this. It came within one vote of passing a resolution demanding that the Department of Justice proceed against me because in my recent speech in Maine I "severely criticized the conduct of our National Government." I defy any human being to point out a statement in that speech which was not true and which was not patriotic, and yet the decent and patriotic members of the Delaware Legislature were only able to secure a majority of one against the base and servile partisanship of those who upheld the resolution.

CALLS IT UNCONSTITUTIONAL.

I believe the proposed law is unconstitutional. If it is passed, I shall certainly give the Government the opportunity to test its constitutionality, for whenever the need arises I shall in the future speak truthfully of the President, in praise or in blame, exactly as I have done in the past. When the President in the past uttered his statements about being too proud to fight and wishing peace without victory and contending that we had no special grievance against Germany, I spoke of him as it was my high duty to speak. Therefore I spoke of him truthfully and severely, and I care nothing whether or not timid and unpatriotic and shortsighted men said that I spoke slurringly or contemptuously. In as far as the President in the future endeavors to wage this war efficiently and to secure the peace of overwhelming victory I shall heartily support him, but if he wages it inefficiently or if he should not champion a peace without victory or say that we had no grievance against Germany, I would speak in criticism of him precisely as I have spoken in the past. I am an American and a free man. My loyalty is due to the United States, and therefore it is due to the President, the Senators, the Representatives, and all other public servants only and to the degree in which they loyally and efficiently serve the United States.

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Mr. KELLOGG. Mr. President, I should like the attention of the Senator from North Carolina on the pending bill. As I understood the Senator in charge of the bill——

Mr. NORRIS. Mr. President, I rise to a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state it.

Mr. NORRIS. I think the Senator from Minnesota is probably laboring under a misapprehension, or else I am. Has the morning business been finished?

The PRESIDENT pro tempore. Reports of committees are in order under the morning business. There is no pending bill.

Mr. NORRIS. But the Senator speaks of the pending bill. I should like to have the morning business finished.

Mr. KELLOGG. I should like to make an observation in connection with the statement of the Senator in charge of the bill on Col. Roosevelt's editorial, if the Senator will permit me.

The Senator from North Carolina has said, as I understood him, that no such bill had ever been introduced or ever been before the Judiciary Committee or considered by the Judiciary Committee. The Senator from North Carolina is mistaken. On the 17th day of August, 1917, the Senator from Montana [Mr. MYERS] introduced exactly such a bill, from which I read:

That when the United States shall be engaged in war it shall be unlawful for any person or persons in the presence or hearing of others to utter any disloyal, threatening, profane, violent, scurrilous, contemptuous, slurring, abusive, or seditious language about the Government of the United States, or the Constitution of the United States, or the President of the United States, or the Army or Navy or soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or the good and welfare of the United States, or any other language calculated to bring the United States or the United States Government, or the President of the United States, or the Constitution of the United States, or the Army or Navy or soldiers or sailors of the United States, or the flag of the United States, or the good and welfare of the United States into contempt, scorn, contumely, or disrepute—

And so forth.

Now, undoubtedly that was published. The Senator from North Carolina was entirely mistaken in his statement.

Mr. OVERMAN. Oh, Mr. President, I did not say that it had not been introduced. I can not tell, out of 3,000 bills, what has been introduced. I intended to say that such a bill has never been before the committee or considered by the committee. There are hundreds of bills there that have never been read and have never been considered.

Mr. KELLOGG. If the Senator will let me complete my statement, I am informed by a member of the Committee on the Judiciary that the bill was before the Judiciary Committee and was considered——

Mr. OVERMAN. I have no recollection of it.

Mr. KELLOGG. And that the Senator from Montana [Mr. MYERS] appeared before the committee.

Mr. OVERMAN. I was not present then. The Senator from Montana [Mr. MYERS] has never been before the committee while I was present.

Mr. MYERS and Mr. STERLING addressed the Chair.

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to anyone?

Mr. MYERS. Will the Senator yield to me or to the Senator from South Dakota? I do not care which. I want to be heard before this matter is laid aside.

The PRESIDENT pro tempore. The Senator from Minnesota has the floor.

Mr. KELLOGG. Now, of course, Col. Roosevelt was mistaken in his editorial. No such language was ever reported by the committee.

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

Mr. KELLOGG. I yield.

Mr. HARDWICK. But the press of the country generally carried the news that it was being considered and about to be adopted.

Mr. KELLOGG. It did.

Mr. OVERMAN. What—this bill?

Mr. HARDWICK. This proposition.

Mr. KELLOGG. I thought the language, when I saw it in the paper, was most remarkable, and I was very glad to see afterwards that it was not in the bill.

Mr. STERLING. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Minnesota yield to the Senator from South Dakota?

Mr. KELLOGG. I yield.

Mr. STERLING. Since the Senator from Minnesota has referred to it, I think perhaps I am his informant in regard to the bill which he has just read, and which was before the Judiciary Committee. The Senator from Montana [Mr. MYERS] appeared before that committee, I think, at least two months ago. I think the Senator from North Carolina [Mr. OVERMAN] was not present at that meeting of the committee. Only three or four

members of the committee were present. They heard the statement of the Senator from Montana, and no consideration has been given the bill by the committee since that time. That is my recollection.

Mr. MYERS. Mr. President, on the 15th day of August, 1917, I introduced in the Senate the bill, a part of which has been read to the Senate by the Senator from Minnesota [Mr. KELLOGG]. That bill was aimed at the same object—had the same purposes—as the bill which is now pending before the Senate and embodied very largely the same identical language, only there was more of it. It was more comprehensive, covered more ground. My bill was referred to the Senate Committee on the Judiciary. It was never considered by that committee; that is, not by the full committee. After being referred to the Committee on the Judiciary it was referred by the chairman of the committee to a subcommittee, consisting of the Senator from Georgia [Mr. SMITH], the Senator from Tennessee [Mr. SHIELDS], and the Senator from South Dakota [Mr. STERLING].

Mr. STERLING. Mr. President, if the Senator from Montana will permit me, I stand corrected in one respect, and that is, it was before the subcommittee that the Senator from Montana appeared rather than the full committee.

Mr. OVERMAN. Ah! I am glad the Senator corrected it, because I thought I had been present at every meeting of the committee.

Mr. MYERS. If I may be permitted, so long as this matter is under discussion, I should like to give a complete and correct chronological history of my bill, which has never seen the light of day since it was referred to the Judiciary Committee.

At my suggestion it was referred to a subcommittee, consisting, as I have said, of the Senator from Georgia [Mr. SMITH], the Senator from Tennessee [Mr. SHIELDS], and the Senator from South Dakota [Mr. STERLING]. A little later—a few days or a week later—at my urgent request, made of all the members of that committee, the subcommittee held a meeting in the committee room of the Judiciary Committee, and I there appeared before that subcommittee, consisting of those three gentlemen, all of them being present, and I made what I considered and intended to be quite an extended argument in favor of my bill, and urged many reasons why it should be favorably reported by the subcommittee to the full committee. But while I think the necessity for such legislation was almost as great then as now, I was apparently unable to interest the members of the subcommittee in the bill; and, notwithstanding I urged action, the subcommittee apparently put the bill to sleep with the slumber that knows no awakening. It is still slumbering, I am informed, in the files or archives or keeping of the subcommittee. It may be in the pocket of one of its members. No action was ever taken upon it by the subcommittee. It was never reported to the full committee.

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

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from Minnesota?

Mr. MYERS. With pleasure.

Mr. KELLOGG. May I put the full bill into the RECORD?

Mr. MYERS. With pleasure; because I am proud of it.

The PRESIDENT pro tempore. Without objection, the bill referred to, offered by the Senator from Montana, will be printed in full in the RECORD.

The bill S. 2789, introduced by Mr. MYERS on August 15, 1917, is as follows:

Be it enacted, etc., That when the United States shall be engaged in war it shall be unlawful for any person or persons, in the presence or hearing of others, to utter any disloyal, threatening, profane, violent, scurrilous, contemptuous, slurring, abusive, or seditious language about the Government of the United States, or the Constitution of the United States, or the President of the United States, or the Army or Navy or soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or the good and welfare of the United States, or any other language calculated to bring the United States, or the United States Government, or the President of the United States, or the Constitution of the United States, or the Army or Navy or soldiers or sailors of the United States, or the flag of the United States, or the good and welfare of the United States into contempt, scorn, contumely, or disrepute; or any language calculated to incite or inflame resistance to any duly constituted Federal or State authority in connection with the prosecution of war; or to threaten the good or welfare of the United States or the United States Government; or to advise, urge, or incite any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of such war.

SEC. 2. That any person duly convicted of any such foregoing offense shall be for each such offense punished by a fine of not less than $500 nor more than $5,000 or by imprisonment for not less than six months nor more than five years, or by both such fine and imprisonment.

Mr. MYERS. I have inquired recently of the chairman and clerk of the Judiciary Committee if any action was ever taken by the committee on my bill, and I have been told by both that no action was ever taken, so I am satisfied that my bill was never brought before the full committee. I have been so informed repeatedly by the clerk of the committee, and I am satisfied that it was never considered by the full committee; that it was never even before the full committee; that the full committee knew nothing of it and knows nothing of it now, save what has been here said to-day. I am satisfied that it was never offered as an amendment to the pending bill nor any other bill. The clerk of the committee tells me it was not; and therefore any assertion or idea that my bill was offered as an amendment to the pending bill or any other bill, or was considered by the Judiciary Committee, or was before the Judiciary Committee, I am satisfied is wholly incorrect. I do not think any member of the Judiciary Committee, aside from the three who composed the subcommittee, which is supposed to be still considering the bill, ever heard of the bill until this morning.

Mr. CUMMINS rose.

Mr. MYERS. I yield to the Senator from Iowa.

Mr. CUMMINS. I did not rise to interrupt the Senator.

Mr. MYERS. I want a few minutes, probably four or five minutes longer.

Mr. CUMMINS. I intend, as soon as the Senator from Montana finishes, to demand the regular order, because I think it is a great deal more important that the Senate shall give its consideration to the bill that was before it yesterday than it is to discuss Col. Roosevelt or anything that he may have said.

Mr. MYERS. I am not discussing Col. Roosevelt. I have nothing to say about him. I thank the Senator for allowing me to proceed a few minutes longer. Having been drawn into this matter, I think I am entitled to be fully heard on it.

So those are the facts, just as I have related them, because I have taken pains to keep in touch with my bill and to make inquiry about it and know what the facts are. As I say, the bill apparently slumbers where it was put to sleep. A few weeks ago the Montana Legislature apparently took the greater part of my bill and embodied it verbatim in a statute of that State.

Mr. WALSH. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to his colleague?

Mr. MYERS. With pleasure.

Mr. WALSH. I rise to correct my colleague.

Mr. MYERS. I would be very glad to be corrected if I am incorrect.

Mr. WALSH. The language attributed to the Judiciary Committee by Col. Roosevelt is not found in the Montana statute.

Mr. MYERS. Oh, the Senator is correct about that. I was going to get to that in a second. Just let me make a complete statement, please. I want to follow it up. It will take only a very few minutes.

Mr. FALL. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Montana yield to the Senator from New Mexico?

Mr. MYERS. I yield, with pleasure.

Mr. FALL. Apparently, while Mr. Roosevelt was premature, he was correct in his statement, because the Senate is considering it.

Mr. MYERS. Well, Mr. President, if I may have three or four minutes without interruption, I will finish this statement.

The PRESIDENT pro tempore. The Chair will protect the Senator if he desires not to be interrupted.

Mr. MYERS. I can decline to yield, of course, though I know that any Senator to whom I may decline to yield can call for the regular order. If I may be permitted, I will finish in a few minutes.

As I say, a few weeks ago the Montana Legislature took literally a large part of my bill—not all of it; it rejected some of it—it apparently took literally a large part of the language in my bill and enacted it into a statute of the State of Montana; but that part which was enacted into a statute of the State of Montana has no reference to the President of the United States. That part of my bill which had reference to the President of the United States was eliminated by the Montana Legislature, as well as other portions of my bill; while the rest, I am told, was taken and enacted into a statute of the State of Montana. I am so informed by officials of Montana. Then it appears that the Judiciary Committee of this body took the Montana statute and made some changes in it and some additions to it and offered it, with those changes and additions, as an amendment to the pending bill. Neither the Montana statute nor the amendment to the pending bill, however, contains that part of my bill which made reference to the President of the United States.

I made some comparison yesterday, and the following language in the pending committee amendment appears to be practically identical with the language in the bill which I offered last August:

Whoever, when the United States is at war, shall utter any disloyal, profane, scurrilous, contemptuous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States, or any language calculated to bring the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United Sates, or the uniform of the Army or Navy of the United States into contempt, scorn, contumely, or disrepute, or shall utter any language calculated to incite or inflame resistance to any duly constituted Federal or State authority in connection with the prosecution of the war, or shall urge, incite, or advocate any curtailment of production in this country of any thing or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of the war.

That language appears to be identical with language in my original bill and to have been taken therefrom. The remaining language in the committee amendment was put in either by the Legislature of Montana or by the Committee on the Judiciary of this body. It emanated from one or the other of those sources. So that part of my bill which referred to the President of the United States, it appears, was not considered by the Judiciary Committee nor was it before the Judiciary Committee in any way whatever, for I particularly inquired about the matter.

As for my bill, which contains some language to which Mr. Roosevelt objects, I will say that I am proud of it. I think it a far better bill and a more effective one than the provision which is now before this body as a committee amendment to the pending bill. I believe it covers more comprehensively and effectively the object to which this amendment is aimed to remedy than does the committee amendment to the pending bill. When I introduced my bill I showed it to a number of Senators, especially some from the Western States, and consulted with them about it, and every one of them approved it and promised to give it their support, but as it made no headway in the committee they had no opportunity to do it.

These are the facts, Mr. President. I have correctly narrated them, and they cover the entire subject that seems to have thrown the Senate into a turmoil this morning.

Mr. CUMMINS. I demand the regular order.

The PRESIDENT pro tempore. The regular order is reports of committees.

PENSIONS AND INCREASE OF PENSIONS.

Mr. WALSH, from the Committee on Pensions, to which was referred the bill (H. R. 9641) granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors, reported it with amendments and submitted a report (No. 360) thereon.

BILL INTRODUCED.

A bill was introduced, read the first time, and, by unanimous consent, the second time, and referred as follows:

By Mr. McNARY:

A bill (S. 4283) to add certain lands to the Crater Lake National Park, Oreg.; to the Committee on Public Lands.

PRESIDENTIAL APPROVAL.

A message from the President of the United States, by Mr. Sharkey, one of his secretaries, announced that the President had on the 2d instant approved and signed the joint resolution (S. J. Res. 133) authorizing the granting of insurance under the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, on application by a person other than the person to be insured.

HOUSE BILLS REFERRED.

The following bills were severally read twice by their titles and referred to the Committee on Pensions:

H. R. 10843. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors;

H. R. 10850. An act granting pensions and increase of pensions to certain soldiers and sailors of the Civil War and certain widows and dependent children of soldiers and sailors of said war; and

H. R. 10924. An act granting pensions and increase of pensions to certain soldiers and sailors of the Regular Army and Navy and certain soldiers and sailors of wars other than the Civil War, and to widows of such soldiers and sailors.

REMOVAL OF ALIEN ENEMIES—CONFERENCE REPORT.

Mr. OVERMAN. I submit a 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. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women. I ask that the report go over until next week.

The PRESIDENT pro tempore. The report will lie on the table for the present.

The conference report is as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women, 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 amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

LEE S. OVERMAN,
DUNCAN U. FLETCHER,
KNUTE NELSON,
Managers on the part of the Senate.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

PROTECTION OF WAR MATERIAL AND TRANSPORTATION FACILITIES—CONFERENCE REPORT.

Mr. OVERMAN. I submit a conference report on Senate bill 383, for the protection of war material, and so forth. Any Senator on the floor may object, and it will then go over; but I am going to ask unanimous consent for its present consideration. I desire to have read the telegram which I send to the desk.

The PRESIDENT pro tempore. Without objection, the telegram will be read by the Secretary.

The Secretary read as follows:

TUCSON, ARIZ., *April 2, 1918.*

ATTORNEY GENERAL,
Washington, D. C.:

Please advise under what law we can indict person for mixing glass in bread. Only law we can find applicable is prohibition against unlawful engaging in deceptive and wasteful practices or devices provided by section 4, food-control bill, for which, apparently, no penalty provided. Grand jury now in session. Probably will adjourn Wednesday. Desire to have your advice in matter before adjournment of grand jury. Reply Tucson.

FLYNN.

Mr. OVERMAN. Mr. President, we have no law against putting glass into bread or poison into candy, or the poisoning of stock, or the burning of elevators, or the destroying of war materials, or the destroying of great munition plants. The Senate passed a bill about six months ago that we thought might cover such a case. The House of Representatives has at last passed that bill with some amendments. Your conference committee met and agreed on the conference report, which I am going to make. Right here in the city of Washington a Representative's daughters are now suffering from having eaten bread with glass in it. I think there is no more important bill than this.

Mr. LODGE. There is none.

Mr. POINDEXTER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Washington?

Mr. OVERMAN. I yield.

Mr. POINDEXTER. I do not know what the conference report is, but from the Senator's preliminary statement I am satisfied that I agree with him about the importance of its adoption, and I merely wish to take occasion to express an idea that I have had for some time in regard to the punishment of people guilty of the acts the Senator has described. The Senator says that there is no law for the punishment of people who put glass in bread and no law for the punishment of a man who burns an elevator.

Mr. OVERMAN. I mean no Federal law.

Mr. POINDEXTER. I saw the other day an article in a newspaper purporting to have come from the Department of Justice, which said that there was no such law. That article was written by one of the busy newspaper correspondents who write signed articles in one or two newspapers, always defending everything that the administration does and criticizing and denouncing everybody who undertakes to say that any part of the administrative machinery of the Government is not perfect. He said that the Attorney General could not prosecute a man for putting a bomb on board of a ship for the purpose of sinking the ship. I assume that what the Senator from North Carolina has said and what this correspondent—defender and apologist of all the different administrative bureaus, who is so busy every day defending them—has said represents the idea and attitude of the Department of Justice of the United States.

That is one thing that is the matter with the country to-day, that we have a Department of Justice which says there is no law for punishing men who, in the most diabolical way that the human mind can conceive of, undertake to destroy valuable property and take human life. Mr. President, there is not a law student who has studied the first volumes of criminal law who ought not to know that that is not the situation. There are ample laws on the statute books of every State in the Union——

Mr. OVERMAN. I said Federal law.

Mr. POINDEXTER. I did not understand that the Senator limited it to Federal law.

Mr. OVERMAN. Oh, yes.

Mr. POINDEXTER. Whether or not there are Federal laws under which such men can be punished, there are ample laws in the States, and I am satisfied that the State authorities would cooperate to the fullest extent with the Department of Justice in using the State jurisdiction and the State judicial machinery to punish the men who are guilty of such crimes and relieve the country of the spectacle of that department of the Government which is responsible for the protection of life and the preservation of order spreading abroad the statement that men can commit these acts with impunity, and that there is no law to punish them.

I say that there is a law to punish them, and, if there were a proper administration and execution of it, very soon we could put a stop to this sort of arson, murder, and treason in the country.

Mr. OVERMAN. Mr. President, there are such laws, probably, in every State, but they are not being enforced. This has been a peaceful country and we have passed very few criminal laws on this subject. I will tell what has fallen under my observation. To-day a German is walking the streets who has confessed that he found defective rods in airplanes which were under construction, and instead of rejecting them, he being the inspector, he ordered that they be varnished over so that they could not be discovered; and so there were put in airplanes defective rods. That man has confessed, and yet he is walking the streets because there is no law to punish him.

Mr. STONE. Why?

Mr. OVERMAN. There are plenty of State laws, but no Federal laws covering such crimes.

Mr. KIRBY. Mr. President——

Mr. HARDWICK. Take the proposition the Senator makes——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield; and if so, to whom?

Mr. OVERMAN. If there is going to be debate on it, I will ask that the conference report be printed and go over.

Mr. POINDEXTER. I suggest that it be read.

Mr. OVERMAN. I asked unanimous consent for the consideration of the conference report, the conferees of both Houses having concurred in the report; but if there is going to be debate on it I will let it go over.

Mr. POINDEXTER. Who has objected?

Mr. GALLINGER. Nobody has objected.

Mr. OVERMAN. It seems there is objection to it.

Mr. FLETCHER. I do not think there is any objection, and I suggest that the Senator ask that the report be agreed to.

The PRESIDENT pro tempore. The Chair desires to know what is the motion of the Senator from North Carolina.

Mr. OVERMAN. I asked unanimous consent to proceed to the consideration of the conference report, not thinking there would be any objection; but, if there is objection, I will ask that it go over.

The PRESIDENT pro tempore. The Senator from North Carolina has submitted a conference report and asks unanimous consent for its present consideration. Is there objection?

Mr. GALLINGER. Let the conference report be read.

Mr. HARDWICK. I ask that it be read.

The PRESIDENT pro tempore. The Secretary will read the report.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 383) to punish the destruction or injuring of war material and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, 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 striking out all after the enacting clause, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the words 'war material,' as used herein, shall include arms, armament, ammunition, live stock, stores of clothing, food, foodstuffs, or fuel; and shall also include supplies, munitions, and all other articles of whatever description, and any part or ingredient thereof, intended for, adapted to, or suitable for the use of the United States, or any associate nation, in connection with the conduct of the war.

"The words 'war premises,' as used herein, shall include all buildings, grounds, mines, or other places, wherein such war material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation.

"The words 'war utilities,' as used herein, shall include all railroads, railways, electric lines, roads of whatever description, railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, or aircraft, or any other means of transportation whatsoever, whereon or whereby such war material or any troops of the United States, or of any associate nation, are being or may be transported either within the limits of the United States or upon the high seas; and all dams, reservoirs, aqueducts, water and gas mains and pipes, structures and buildings, whereby or in connection with which water or gas is being furnished, or may be furnished, to any war premises or to the military or naval forces of the United States, or any associate nation, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply water, light, heat, power, or facilities of communication to any war premises or to the military or naval forces of the United States or any associate nation.

"The words 'United States' shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

"The words 'associate nation,' as used in this act, shall be deemed to mean any nation at war with any nation with which the United States is at war.

"SEC. 2. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully injure or destroy, or shall attempt to so injure or destroy, any war material, war premises, or war utilities, as herein defined, or, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war shall conspire to prevent the erection or production of such war premises, war material, or war utilities, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 30 years, or both.

"SEC. 3. That nothing herein shall be construed as making it unlawful for employees to agree together to stop work or not to enter thereon with the sole and bona fide purpose of securing better wages or conditions of employment.

"SEC. 4. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 30 years, or both."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same.

LEE S. OVERMAN,
DUNCAN U. FLETCHER,
KNUTE NELSON,
Managers on the part of the Senate.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

The PRESIDENT pro tempore. The Senator from North Carolina has asked unanimous consent for the present consideration of the conference report. Is there objection?

Mr. GALLINGER. Mr. President, as it will delay this matter only one day, I ask that the report be printed, and the Senator can call it up on Monday morning. I should like to look at one or two sections of the report, because, as I caught the reading of them, I think it is well enough to look into them.

The PRESIDENT pro tempore. The Chair understands, then, that the Senator from New Hampshire objects to the present consideration of the conference report.

Mr. GALLINGER. Yes; I object to its present consideration.

The PRESIDENT pro tempore. Objection is made, and the conference report will go over.

PROMOTION OF EXPORT TRADE—CONFERENCE REPORT.

Mr. POMERENE. I ask unanimous consent to have laid before the Senate for present consideration the conference report on House bill 2316, which is known as the export-trade bill, and which was submitted by me on yesterday.

The PRESIDING OFFICER (Mr. McKELLAR in the chair). The Senator from Ohio asks unanimous consent for the present consideration of the conference report on the export-trade bill. Is there objection? The Chair hears none, and the conference report will be read.

The Secretary read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2316) to promote export trade, 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 amendment numbered 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

That the House recede from its disagreement to the amendments of the Senate numbered 5 and 6, and agree to the same with amendments as follows: In lieu of the matter stricken out and the matter inserted by said amendments strike out in lines 1, 2, and 3, page 3, all of section 2 after the word "or," in line 1, page 3, the matter stricken out being "intentionally and unduly enhances prices within the United States of commodities of the class exported by such association," and insert in lieu thereof the following: "intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein"; and the Senate agree to the same.

That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 18, page 5, in addition to the matter stricken out by the Senate amendment, strike out the words "and unduly," and in addition to the words added by the Senate amendment add in line 20, page 5, after the word "association," and before the word "it," the following: "or which substantially lessens competition within the United States or otherwise restrains trade therein"; and the Senate agree to the same.

ATLEE POMERENE,
JOE T. ROBINSON,
ALBERT B. CUMMINS,
Managers on the part of the Senate.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

Mr. POMERENE. I ask that the Senate agree to the conference report.

The report was agreed to.

PRICE OF WHEAT.

Mr. GORE. Mr. President, I send to the desk a resolution, which I ask to have read.

The PRESIDENT pro tempore. The Secretary will read the resolution.

The Secretary read the resolution (S. Res. 222), as follows:

Resolved, That the Secretary of Agriculture be directed to transmit to the Senate forthwith a full and unedited copy of the minutes, proceedings, and resolutions, including portions expunged, if any, of all meetings of the agricultural advisory committee.

Mr. GORE. Mr. President, I wish to trespass on the time of the Senate to offer a word or two of explanation touching this resolution. First, I ask to have read by the Secretary a marked sentence in this morning's Washington Post, which I send to the desk.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

Wheat growers, general farmers, and general grain men, forming the agricultural advisory committee, have determined that the price of $2.20 wheat, set by President Wilson in his latest proclamation, gives the wheat producers a generous margin of profit.

Mr. GORE. There is more of like kind. I need not say that this statement may or may not be true.

If true, there are three points in connection with the passage just read to which I wish to call the attention of the Senate. The passage says the wheat farmers, general farmers, and general grain farmers adopted a resolution a few days since in Washington expressing it as their opinion that the price of $2.20 per bushel for the wheat crop of 1918 was sufficient and was satisfactory, giving a generous margin of profit. This resolution is alleged to have been adopted by the so-called agricultural advisory committee. This is a committee of farmers, or alleged farmers, selected by Secretary Houston and by Food Administrator Hoover. One Senator suggests to me that they are swivel-chair farmers.

Mr. President, if the real farmers of the United States have expressed it as their deliberate opinion that $2.20 is an adequate price for wheat for the crop of 1918, that ought to be conclusive upon the Senate, it ought to be conclusive upon the House, and it ought to close and foreclose this entire controversy.

Mr. President, there are farmers and there are farmers. I have no doubt that the 24 members of this advisory committee are all excellent gentlemen and are patriotic citizens. Whether they be actual farmers or not I can not testify of my own knowledge.

I hold in my hand a sort of biographical symposium. It is a series of autobiographies prepared by the several members of the agricultural advisory committee.

The first name mentioned as the chairman is former Gov. Stuart, of the State of Virginia, a man whose character and reputation are known of all men and are, of course, beyond challenge. Gov. Stuart states himself that he owns or operates 35,000 acres of land which he cultivates on the tenant system. He is chairman of the committee.

There is Mr. Hagenbarth, of Idaho. If rumor speaks the truth, he is an industrious, a thrifty, a prosperous farmer. He is a woolgrower and used to operate large ranches in Mexico. It is alleged that by strict economy he has amassed perhaps a million dollars or more; indeed, some reports place it much higher than that. I disclaim any knowledge upon that subject myself.

Another member of this agricultural advisory committee is a Mr. Lincoln, of South Dakota. His name certainly excites a prepossession in his favor. Mr. Lincoln, I understand, owns a ranch of 1,700 acres. He is a man whose savings have brought him prosperity. He is president of the State Savings Bank, of Aberdeen, S. Dak. Not only that, his agricultural savings have enabled him to secure a place on the board of directors of a very large and substantial bank in the city of Minneapolis. Whether Mr. Lincoln farms within the corporate limits of Minneapolis this deponent is unable to testify.

These are samples of the agricultural advisory committee. I will print this aggregation of autobiographies in the RECORD in order to blazon forth the admitted facts touching these farmers:

ADVISORY COMMITTEE OF FARMERS CALLED TO WASHINGTON TO CONSULT WITH SECRETARY HOUSTON AND FOOD ADMINISTRATOR HOOVER.

A committee of representative citizens identified with agriculture in its various phases has been organized by Hon. D. F. Houston, Secretary of Agriculture, and Hon. Herbert Hoover, Food Administrator, to meet in Washington on call from time to time to advise with the Department of Agriculture and the Food Administration concerning agricultural and food problems as they arise. The first meeting was held on March 28. The members of the committee are as follows:

Henry C. Stuart, appointed chairman by Secretary Houston, Elk Garden, Va.

Henry C. Stuart is one of the leading farmers of Virginia, operates a tenant system and 35,000 acres of land. He is a cattle breeder and feeder and interested especially in the development of the live-stock industry on southern cut-over lands of the coastal plains region. Mr. Stuart has served as governor of Virginia.

C. S. Barrett, Union City, Ga.

C. S. Barrett for several years has been president of the National Farmers' Union, one of the largest farmers organizations in the United States. He is an experienced and successful farmer and has long been identified in his State and in the South with agricultural progress.

Elbert S. Brigham, St. Albans, Vt.

Elbert S. Brigham has specialized in dairying and has developed an excellent dairy herd. He is also an extensive bean and potato grower, developing a special market for seed potatoes. For a number of years he has served as institute worker in Vermont, and during the past four or five years Mr. Brigham has been commissioner of agriculture for the State.

W. L. Brown, Kingman, Kans.

W. L. Brown is a wheat grower. He went to Kansas in 1876, proved a claim, taught school, and farmed. He has served for three sessions as a member of the State legislature. He was the first man in his State to enlist in the Spanish War, and raised a regiment and was commissioned as major. Mr. Brown is a member of the State board of agriculture and is on the executive committee of the State Cattlemen's Association. He has had a wide experience in breeding of pure-bred cattle and hogs, and his farming experience has also included the raising and production of many kinds of grains and fruit.

Milo D. Campbell, Coldwater, Mich.

Milo D. Campbell is a native of Michigan, born in 1851. His chief vocation is farming and his specialty dairying. He is now president of the National Milk Producers' Federation. He has held other public offices, and taught school.

David R. Coker, Hartville, S. C.

David R. Coker is one of the most successful farmers in South Carolina and is especially interested in cotton growing. The long-staple cotton developed by Mr. Coker now displaces 75 to 90 per cent of the short-staple cotton formerly marketed in his county. He operates one of the most extensive seed and experimental farms in the South. He is president of a pedigreed seed company and operates a plant breeding, live stock, and seed business. Mr. Coker is president of the South Carolina Plant Breeders' Association. He is chairman of the South Carolina Council of National Defense and director of the Richmond Reserve Bank.

W. R. Dodson, Baton Rouge, La.

W. R. Dodson lives on his large farm near Baton Rouge, La. He is thoroughly informed regarding the cotton, sugar, rice, truck, and live stock farming of the lower Mississippi Valley. He received his university training at the Universities of Missouri, Michigan, and Harvard. For many years he has been director of the Louisiana Agricultural Experiment Station and dean of the College of Agriculture of Louisiana State University. He is a member of the State council of national defense.

Eugene Funk, Bloomington, Ill.

Eugene Funk is one of the foremost producers of seeds in the United States. During the last several years he has conducted a seed business at Bloomington, distributing numerous varieties of seeds, but specializing in seed corn. He operates a large farm, and during the last two years has cultivated approximately 20,000 acres of grain and corn. He also is a feeder of cattle and hogs. He is ex-president of the National Grain Association, charter member and president of the National Corn Association, and a member of the Illinois Seed Corn Growers' Association. He represented the producing interests in the preparation of rules and regulations for the enforcement of the United States grain standards act.

N. H. Gentry, Sedalia, Mo.

N. H. Gentry, farmer and hog breeder, has done a great deal to improve the Berkshire breed of hogs. His herds have often taken the blue ribbons at the International Live Stock Exposition and at State fairs. He has represented the agricultural interests, and especially the swine industry on many occasions.

Wesley G. Gordon, Humboldt, Tenn.

Wesley G. Gordon is a successful farmer in Gibson County, Tenn. He has demonstrated improved agricultural methods on his own farm, and with other leading farmers he has exerted an influence for the improvement of the agriculture of his county, especially in introducing crimson clover and other legumes. He is interested in live stock and general farming in his region.

John Grattan, Broomfield, Colo.

John Grattan has been farming for the past 10 years near Broomfield, Colo. He is a cattle feeder and grain and alfalfa grower. Mr. Grattan is a member of the Grange, the Farmers' Union, and a member of the board of directors of the American National Live Stock Association and of the Farmers' Congress. Mr. Grattan was in the banking business near Medford, Okla., for four years, and during the last five years has been a member of the board of directors of the Stockyards Bank at Denver, Colo. He has been editor of the live-stock department of Ranch and Range, a Western agricultural paper.

J. N. Hagan, Deering, N. Dak.

J. N. Hagan has spent 17 of his 45 years in farming. He grows spring wheat on a large scale. In 1916 he was elected to the office of commissioner of agriculture and labor of North Dakota.

Frank J. Hagenbarth, Spencer, Idaho.

Frank J. Hagenbarth is heavily interested in sheep and wool growing and in cattle raising. He has encouraged modern methods of range and forest development in the West. Formerly he operated large ranches in Mexico. For many years he has been president of the National Wool Growers' Association.

W. W. Harrah, Pendleton, Oreg.

W. W. Harrah is known as one of the largest wheat growers in the Pacific Northwest. He is a director of the Oregon Seed Stocks Committee and has devoted much energy to increasing the acreage of wheat and distributing seed wheat. He is a director of a large terminal warehouse company of Seattle, a director of the Farmers' Union Grain Agency of Pendleton, and a member of the Farmers' Educational Cooperative Union.

C. W. Hunt, Logan, Iowa.

C. W. Hunt and his sons are engaged in general farming, but give special emphasis to swine production and cattle feeding. They produce large corn crops. Mr. Hunt has served in the Iowa State Legislature and in other ways has been honored by his community and State.

H. W. Jeffers, Plainsboro, N. J.

H. W. Jeffers is manager of a large and successful dairy enterprise, including several farms. On one farm between 400 and 500 dairy cows are kept for the production of high-grade market milk. Alfalfa and potatoes are major crops. Recently he was made president of the Walker-Gordon Laboratory Co. He is a member of the New Jersey State Board of Agriculture and interested in a broad way in all agricultural activities.

Isaac Lincoln, Aberdeen, S. Dak.

Isaac Lincoln is one of the most prominent growers of special varieties of seed grains in South Dakota. On his large stock ranch of 1,760 acres near Aberdeen he personally superintends the growing of choice stocks of wheat, oats, barley, flax, emmer, and corn. He is a strong advocate of better quality grain and seed. Mr. Lincoln went to the Dakotas in the eighties and became the owner of large tracts of farm land. He has given much attention to forwarding the development of the country, particularly about Aberdeen. Mr. Lincoln is president of the State Savings Bank at Aberdeen and director of the Scandinavian-American National Bank at Minneapolis. As vice president of the State fair he has been instrumental in developing it to its present successful status.

D. O. Mahoney, Viroqua, Wis.

D. O. Mahoney is a farmer specializing in cigar-leaf tobacco in Vernon County, Wis. He has devoted much time to the organization of the tobacco growers in his State for the collective selling of their crops. He is a graduate of the University of Wisconsin and has served the public in many ways. For several years he was county judge. He has been president of both the State branch and of the national organization of the American Society of Equity.

David M. Massie, Chillicothe, Ohio.

David M. Massie is a business man with large farm interests. He gives much attention to practical farm questions and is interested in agricultural problems in relation one to another and from a standpoint of their relation to other lines of business.

William F. Pratt, Batavia, N. Y.

William F. Pratt is a successful farmer in western New York. He is engaged in general farming and has given considerable attention to feeding lambs. For a long period he has been an agricultural representative on the board of trustees of Cornell University. He is a member of the State farm and markets council.

George C. Roeding, Fresno, Cal.

George C. Roeding is a fruit grower, nurseryman, and irrigation farmer. He has been especially active in the development of raisin, fig, and olive production in California. Mr. Roeding is president of the agriculture society of his State.

Marion Sansom, Fort Worth, Tex.

Marion Sansom has been identified with the live-stock industry in the Southwest for the last 40 years as farmer, feeder, and breeder. Formerly he was a live-stock commission merchant. He is a director of the Federal reserve bank, Dallas, Tex.

C. J. Tyson, Floradale, Pa.:

C. J. Tyson is widely known as a general farmer and fruit grower, specializing in apple production and marketing. For many years he was an active worker in the Adams County Horticultural Society and the State Horticultural Association of Pennsylvania, of which he was secretary for several years and president in 1914.

Oliver Wilson, Peoria, Ill.

Oliver Wilson has been prominent for some time as a farmer and especially as an officer of the National Grange. He was editor in chief of the National Grange Monthly for many years. Prior to 1911 he filled the office of master of the State Grange of Illinois, and was lecturer for the National Grange. In November, 1911, he was elected master of the National Grange, which office he has held since.

I am advised by a farmer who farms with his own hands that four or five members of this committee of 24 are satisfactory to the farmers themselves. They wish to disclaim responsibility, however, or rather they wish to challenge the credentials of certain other members of this committee who speak for the actual farmers of this country.

In what I say, Mr. President, I mean to cast no reflection upon any member of this committee, as far as his character and reputation, and so forth, are concerned. The only point I would raise is the question of their fitness to speak for and to bind the 6,000,000 actual farmers in the United States, the men upon whom the hundred millions of our citizens must depend for their daily bread, and upon whom the allies and their embattled armies must depend for bread during this terrific contest.

Mr. NORRIS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. GORE. I yield.

Mr. NORRIS. By whom were these farmers on this farmers committee first selected?

Mr. GORE. I am informed that they were selected by the Secretary of Agriculture and by Food Administrator Hoover. As far as I know they were neither suggested by farmers nor was their appointment ratified by farmers, but upon that point I am not personally advised.

Mr. MYERS. I should like to ask for information, as I did not hear the first part of the Senator's statement, what is the board called?

Mr. GORE. It is an agricultural advisory committee.

Mr. MYERS. Of how many members?

Mr. GORE. Twenty-four.

Mr. MYERS. When were they appointed?

Mr. GORE. Early in March. I am not certain as to the date.

Mr. MYERS. Whom are they intended to advise?

Mr. GORE. They advise, as I understand, the Secretary of Agriculture and the Food Administrator.

Mr. MYERS. Are they supposed to be actual farmers?

Mr. GORE. That is the supposition. Whether it is a fact or not I do not know.

Mr. MYERS. I thank the Senator.

Mr. GORE. I am informed by actual farmers that they are not quite satisfied with the representatives chosen not by themselves but by the Secretary of Agriculture and the Food Administrator. The latter has not always manifested quite so earnest and continuous a solicitude for the welfare of the farmer as would recommend him or his choice to the actual farmers of this country.

I will have this series of autobiographies printed in the RECORD, in order that each gentleman may speak for himself. The passage which I had read states that this advisory committee adopted a resolution declaring, in effect, that $2.20 was sufficient for the crop of 1918, and that $2.50 was not desired or desirable by the farmer.

Mr. REED. Mr. President——

Mr. GORE. I yield to the Senator.

Mr. REED. I understand that this advisory committee of 24 was selected by the Food Administrator and the Secretary of Agriculture. Of course, it is well known that they are committed to the $2.20 a bushel wheat proposition. I understand the Senator also to say that there are 6,000,000 farmers in the United States. Does the Senator think it is a very difficult problem for a well-advised commission to be able to fix upon a jury of 24 out of the general panel of 6,000,000 who would render a verdict in favor of a proposition that a man wanted accepted, provided he was allowed to pick a jury himself?

Mr. GORE. Mr. President, there are real farmers, there are professional farmers, and there are political farmers. I mean by political farmer mere drooling, driveling sycophants, who have a greater regard for the smiles and the favor of power than they have for the interests of the farmers of the country. How many on this committee fall within that category I can not now say, but it is a hand-picked committee.

Next, Mr. President, as to the resolution which is alleged to have been adopted by this advisory committee, naturally I am not in a position to know all of the proceedings of the committee, but I am advised in ways that I had not doubted before this morning's publication that the committee went no further than to say that the price of $2.20 for wheat for the crop of 1917 should not now be increased. I am advised in a way that I had not previously doubted that a Mr. Brown, of Kansas, introduced a resolution declaring it as the sense of the committee that the price for 1918 should be $2.20, and that they were not desiring $2.50. According to my informant, the discussion became so—I had almost said "fast and furious"—that the resolution was withdrawn, and that the record of its introduction had been expunged from the minutes of the meeting. I am pleased to say, sir, that in my judgment it is greatly to the credit of the advisory committee that this resolution was not adopted. A contrary course would have been a self-impeachment.

First, I wish to have read to the Senate a statement from real farmers. It will shed some light on this committee and also reflect the attitude of the farmers touching $2.50 wheat. The advisory farmers are trying to "bear" their own products, according to the morning paper.

I wish to state, Mr. President, why I can not speak with fuller knowledge as to the resolution. I called up Secretary Houston this morning. He was not in the city. I called up Food Administrator Hoover and he was not available and would not be during the day. For this reason I am not able to state what their views or representation as to the facts would be.

The PRESIDENT pro tempore. Is there objection to reading the matter sent to the desk by the Senator from Oklahoma? The Chair hears none, and the Secretary will read.

The Secretary read as follows:

Senator T. P. GORE,
Washington, D. C.

DEAR SENATOR: In this morning's papers there is a report of a meeting of supposed farmers alleged to have passed a resolution in their meeting stating that $2.20, Chicago basis, No. 1 wheat, was a just and equitable price and satisfactory to the wheat farmers.

I have been in many conventions of farmers since price was fixed on wheat and in every one of them we have condemned the $2.20 price on wheat and have asked for revision upward until wheat was in line with other prices. I know the farmers of this Nation do not recognize the agricultural advisory committee as representing them at all, and I know that organized farmers were not consulted in the selection of these men. We were allowed about 4 of the 24 members in making up the committee. We indorse the Gore amendment and hope it will become a law.

JOHN A. SIMPSON,
President Farmers' Union of Oklahoma, President State Presidents' Association of Farmers' Union, and Secretary of the Wheat Growers' League.

Mr. GORE. Mr. President, I know Mr. Simpson personally. I know him to be a man of character and I know that his word is entitled to great weight. He speaks not only as president of the Farmers' Union of his own State, I believe the third State in the production of winter wheat in America, but he is also president of the State Presidents' Association of the Farmers' Union. I wish to introduce as a witness the president of the National Grange of the United States.

The PRESIDENT pro tempore. Without objection, the Secretary will read as requested.

The Secretary read as follows:

PEORIA, ILL., *April 5, 1918.*

C. H. GUSTAFSON,
National Hotel, Washington, D. C.:

Committee not on record favoring $2.20 wheat. It said that it did not believe higher price would affect production of spring wheat more than 10 per cent. National Grange favors Gore amendment as passed by the Senate and worked for its passage. Do all you can with House of Representatives.

OLIVER WILSON.

Mr. GORE. Mr. Wilson is president, I understand, of the National Grange, the oldest, one of the most important, and, I might say, one of the most influential farm organizations in this country. He declares that the advisory committee is not on record as favoring $2.20 for the crop of 1918. On the contrary, the National Grange favors the proposed increase to $2.50. Mr. Wilson is a member of the advisory committee, and I understand is one of the satisfactory members.

I send another telegram to the desk from a man who I believe was formerly president of the Farmers' Equitable Society of America.

The PRESIDENT pro tempore. Without objection, the Secretary will read.

The Secretary read as follows:

VIROQUA, WIS., *April 5, 1918.*

GEORGE P. HAMPTON,
Bliss Building, Washington, D. C.:

Left Washington March 31. Up to that time no action was taken by advisory committee to indorse President Wilson on wheat price.

D. O. MAHONEY.

Mr. GORE. According to my information Mr. Mahoney was formerly president of the Farmers' Equitable Society, a very large farmers' organization, embracing the principal wheat-growing States.

I have here another letter. These come from men who represent the real farmers in this country, and Senators may decide for themselves between those who think $2.50 would more nearly compensate the farmer for his outlay in the production of wheat and those who, according to press reports, declare that the men who grow wheat do not want the price increased to $2.50 for their own product.

I am not insisting that farmers should be allowed to fix their own prices. They have a right to be heard. The press of this city, pretending to speak authoritatively, represents that they have been heard and that they are antagonistic to an increase in the price of wheat, an increase which the Senate has voted in a patriotic effort to guarantee a sufficient supply.

Mr. President, I send another letter to the desk, which comes from a man who has some title to speak for the farmers in the third winter wheat producing State of the Union. I ask that the letter may be read.

The PRESIDENT pro tempore. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

Senator T. P. GORE,
United States Senate.

MY DEAR SENATOR: I noticed in the morning paper what purported to be action taken by the Agricultural Advisory Committee, in which it is stated that the committee was favorable to $2.20 wheat and opposed to fixing the price on the 1918 crop at $2.50. As president of the Nebraska Farmers' Union, representing 35,000 organized farmers in the State of Nebraska, also chairman of the Farmers' War Council of Nebraska, representing all the farm organizations in the State, and speaking for those whom I represent, I desire to most emphatically say that we favor the adoption of the Gore amendment to the Agriculture appropriation bill fixing the price of wheat at $2.50. I desire to say further that I have made investigation privately and have been assured by members of the so-called Agricultural Advisory Committee that no such action as stated in the morning papers was taken by that committee.

Very truly, yours, C. H. GUSTAFSON.

Mr. GORE. Mr. Gustafson is not only president of the Farmers' Union of Nebraska, one of the leading wheat-producing States of the Union, but he is also president of the Farmers' War Council of that State, a patriotic organization.

I now send to the desk, Mr. President, another letter coming from one who, I believe, has credentials entitling him to speak for the farmer who farms.

The PRESIDING OFFICER (Mr. SWANSON in the chair). Without objection, the communication will be read.

The Secretary read as follows:

WASHINGTON, D. C., *April 6, 1918.*

Senator T. P. GORE,
United States Senate.

DEAR SENATOR: Have been delegated by the State of North Dakota to represent the farmers of North Dakota protesting against the action of the so-called Farmers' Advisory Committee in stating that the farmers were satisfied with $2.20 wheat. Our farmers are doing all possible to speed up production, and offer a direct protest against such action and declare that in order to increase production of wheat some quick action must be taken by Congress to insure a price for wheat in proportion to oats, barley, and rye, and that we fully indorse the Gore bill.

(Signed) W. J. MOZLEY,
Director State Union, North Dakota.

Mr. GORE. Mr. Mozley is a sincere friend of the farmer. His heart and soul are in the movement to enable the farmer to discharge his great national duty and to honor all the drafts of patriotism.

Mr. CURTIS. Mr. President, will the Senator from Oklahoma yield to me for just a moment?

Mr. GORE. Yes, sir.

Mr. CURTIS. I desire to state that I have received a large number of letters from the wheat growers of Kansas, all of which were in favor of the Gore amendment fixing the price of

wheat for the 1918 crop at not less than $2.50 per bushel. I have had only one letter protesting against it and claiming that $2.20 a bushel was sufficient for wheat.

Mr. GORE. Mr. President——

Mr. CURTIS. That letter was not from a farmer, but from a gentleman living in one of our cities.

Mr. GORE. I was about to suggest, interrupting the Senator from Kansas, that probably that letter did not come from a farmer. The Senator, however, anticipated me and stated a fact that was self-evident. There was a meeting held in Kansas at Hutchinson, I think it was on the 20th of March, at which a resolution was adopted declaring that $2.20 a bushel was a sufficient price for wheat, but it was a meeting which had been called by the Department of Agriculture, and was made up of millers, elevator men, and grain dealers. Of course, their testimony can go into the RECORD for whatever it is worth.

Mr. President, I send to the desk a telegram which tends to raise a doubt as to the representative character of this agricultural advisory committee when they undertake, if they undertake, to advise the Nation that $2.20 a bushel for wheat is satisfactory to the farmers.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Secretary read as follows:

WENATCHEE, WASH., *April 3, 1918.*

C. H HYDE,
National Hotel, Washington, D. C.:

Am sorry Northwest can not be represented. Will rely on you to represent us. Two fifty for wheat necessary for producers to break even. A less price will force wheat raisers out of business next season.

E. A. MCCLEAN,
President of Washington State Farmers' Union,
Bridgeport, Wash.

Mr. GORE. Mr. President, the president of the Farmers' Union of the State of Washington does not seem to be in accord with the action imputed to this Agricultural Advisory Committee. I send to the desk another telegram from the State of Washington, and I ask that it be read.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

WENATCHEE, WASH., *April 3, 1918.*

C. H. HYDE,
National Hotel, Washington, D. C.:

Time is too short to get representation to Washington for 4th from Northwest. Farmers feel that they must have guaranty of $2.50 at local railroad point to cause normal sowing of spring wheat. Unless this is done farmers here will produce this crop at a loss.

R. E. DARLING,
President of National Wheat Growers' League.
Bridgeport, Wash.

Mr. GORE. The last two telegrams were addressed to Mr. C. H. Hyde, of my State. Mr. Hyde is a member of the Oklahoma Council of Defense. He is a prominent and responsible citizen. He is one of the leading farmers of the State. In matters of this kind he is conservative. He is entirely responsible. He is here representing the farmers of Oklahoma and urging the wisdom of the proposed increase in the price of wheat.

Mr. President, I find that I have not with me, but I received a letter through the mail this morning, coming spontaneously from an actual farmer. He had seen a statement in the press a few days ago to the effect that this advisory committee was contemplating action of this sort. He wrote me to protest that it did not represent his views, and that it did not represent the views of the farmers with whom he had come in contact; also stating that he had made it a point to ascertain the views of the farmers in his section. I will ask to print extracts from the letter just mentioned and from a clipping in relation to the advisory committee, of which the writer makes mention.

The PRESIDING OFFICER. Is there objection? The Chair hears none.

The matter referred to is as follows:

Just now the evening paper came and I inclose three clippings from it. As far as that farmers' advisory committee is concerned, I feel sure it can not be composed of practical, representative farmers, but rather of so-called speculative farmers, or possibly fancy-stock breeders, by courtesy called "farmers," but not at all dependent on actual farming conditions. I read the list of men included in one of the farm papers and see that there is no representative farmer, or otherwise, from this State or section at all.

I am constantly coming in touch with more farmers than the average man, and I have yet to find one farmer who was satisfied with the $2 price. You see we do not get two twenty here, of course. Even that would be better than the $2.

In reading the list of men on the farmers' advisory committee it occurred to me to call your attention to the fact that the States represented show a majority that are either entirely nonwheat-producing States or at best soft-wheat producing States.

The clipping referred to is as follows:

Farmers representing 23 States, in convention at Washington, declared their opposition to the measure now pending in Congress asking that the price of wheat be raised to $2.50 per bushel. They assert that the price as fixed now is sufficient.

Mr. GALLINGER. Mr. President, will the Senator from Oklahoma yield for a question?

Mr. GORE. Yes, sir; I yield.

Mr. GALLINGER. I will ask the Senator whether this advisory committee, be they farmers or not, are salaried men or are they volunteers?

Mr. GORE. I can not answer that. I assume that they are volunteers. I am informed that Mr. Brown is a dollar-a-year man.

Mr. GALLINGER. And they were appointed by whom?

Mr. GORE. As I understand, they were appointed by the Secretary of Agriculture and by Food Administrator Hoover to counsel as to policies that would best promote production.

Mr. GALLINGER. It is rather a cumbersome committee, is it not—24 men to advise the Secretary of Agriculture?

Mr. GORE. Yes, sir; it is rather a numerous committee; but I will say that if this action which is attributed to it has actually been taken, the committee is either too large or it is too small; I am unable to decide which.

Mr. President, I will say in this connection, since the Senator from New Hampshire has brought up the subject, that I do not know whether these members of the agricultural advisory committee are so well fitted to discharge their duties as is Mr. Hoover's choice of an assistant to supervise the meat industry of the country. I send to the desk answers to certain questions by Mr. Joseph P. Cotton, who is Mr. Hoover's chief of the meat division of the Food Administration. I wish to say that Mr. Cotton is undoubtedly a lawyer of high standing. He was formerly associated with ex-Senator Spooner, with offices at 15 Wall Street, New York. That, of course, is a recommendation in itself to the farmers of the country, if I may be pardoned for that observation. Mr. Cotton was recently before the Committee on Agriculture and Forestry, and his fitness for this particular place was brought out, or attempted to be brought out, by the questions and their answers which I send to the desk to be read, taken from the hearings.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read the memorandum as requested.

The Secretary read as follows:

The CHAIRMAN. Dr. Durand is your first assistant, is he not?

Mr. COTTON. Yes; but he is not only that; he is my first assistant, and he was there before I was.

The CHAIRMAN. Yes. You stated a few moments ago that you had had no experience in the live-stock business yourself.

Mr. COTTON. Yes, sir.

The CHAIRMAN. Has Dr. Durand had any experience in it?

Mr. COTTON. I think not.

The CHAIRMAN. Who are your other assistants?

Mr. COTTON. The only other assistant who is other than a clerical assistant is E. L. Roy, of Chicago.

The CHAIRMAN. What was his business?

Mr. COTTON. He is a technical hog man, after you kill it.

Mr. GORE. That has no relation to Hog Island, I will say, Mr. President.

The Secretary continued the reading, as follows:

The CHAIRMAN. Has he been connected with any of the packing houses?

Mr. COTTON. I am not sure.

The CHAIRMAN. He has not been engaged in the production of live-stock, has he?

Mr. COTTON. No.

* * * * * * *

The CHAIRMAN. I mean there is nobody connected with the Food Administration who is vested with any power who is engaged in the live-stock business, or the handling of meats—or who is an actual producer?

Mr. COTTON. Well, there are people in the Food Administration who have power enough, but no man in the meat division that I know of who has that combination.

Mr. GORE. Mr. President, I am merely presenting these facts in order to show that it appears to be the opinion of those in authority in the Food Administration that ignorance is the highest mark of fitness for positions of this character.

I now send to the desk an extract from the testimony of Dr. E. Dana Durand—mark the symphony, the harmony, and the euphony of that cognomen—and ask the Secretary to read it.

The PRESIDING OFFICER. In the absence of objection, the Secretary will read as requested.

The Secretary read as follows:

The CHAIRMAN. I will ask you a few questions, Doctor, perhaps abbreviated, merely for the sake of the record. Have you had any experience in the production of live stock?

Mr. DURAND. No, sir.

The CHAIRMAN. Have you had any experience in the feeding of live stock?

Mr. DURAND. No, sir.

The CHAIRMAN. Have you had any experience in the packing business?

Mr. DURAND. No, sir.

The CHAIRMAN. Have you made any studies of the cost of production?

Mr. DURAND. Of live stock?

The CHAIRMAN. Yes, sir.

Mr. DURAND. Substantially none.

The CHAIRMAN. Have you made any study of the cost of feeding?

Mr. DURAND. Well, I have been examining these reports that Mr. Cotton has referred to that has come in with regard to present conditions, and am fairly familiar with them. But as a general thing I would say I was not an expert on the question of the costs of feeding.

Mr. GORE. Mr. President, this Dr. Durand—I beg pardon, E. Dana Durand—is alleged to have prepared the report of Mr. Garfield in the famous—I will say "famous"—packing-house investigation. Dr. Durand is the Durand referred to in the letter of January 21, written by Mr. Cudahy's representative in Chicago to Mr. Cudahy's representative in Omaha, in which the former represented that at a meeting of the packing-house representatives Mr. Durand said that the one thing above all others to be kept in mind was that the price of cattle should not be advanced. I should say that Mr. Durand has made an explanation of that statement which does not explain.

Mr. President, there was a meeting of actual wheat growers held in Kansas City on March 21. There were present about 250 delegates, men who grow wheat. I wish to have the marked extracts in the resolutions adopted by that meeting read to the Senate at this point.

The PRESIDING OFFICER. Without objection, the Secretary will read as requested.

The Secretary read as follows:

* * * * * * *

It must be admitted by all that the grain producers are occupying the second line of defense in the prosecution of the war. Consequently we ask Congress and the Food Administration to make it possible for us to do our part in winning the war.

Whereas the price of labor and machinery, the two principal items of expense in the production of wheat, has readvanced, since 1916, 100 to 200 per cent, and since that advance, coupled with a period of unfavorable seasons for the growth of crops, makes it impossible for farmers under present conditions to grow wheat for less than $2.75 per bushel at the home market. If such a price is not fixed for the 1918 wheat crop, the acreage of spring wheat now being sown will be materially reduced. The condition of the winter wheat is such as to justify an estimate of not more than half a crop. Taking this fact into consideration, it is possible that the winter wheat growers will not get cost of production even at the price above named.

We believe that a fair price on agricultural products should be determined on a basis of cost of the factors entering into production. We realize the necessity of encouraging the wheat grower to continue in the production of wheat, and suggest that corn and wheat at approximately the same price means a larger acreage of corn and a smaller acreage of wheat. Furthermore, it is practical to encourage greater production of wheat by the Federal Government paying a bonus for every acre of wheat as the administration may deem best. But unless prices of the products the farmer has to buy be regulated on the basis of the price of the products he sells, we demand that all price fixing on wheat be discontinued.

Whereas the consumer of the wheat products may object to any increase in the price of wheat, erroneously believing that the price asked for wheat, if granted, will materially enhance the price of bread, we call the attention of the consumer to the fact that the producer now gets $8.80 for the wheat that goes into the making of a barrel of flour, and which, according to Government estimates, makes 300 16-ounce loaves of bread. This retails at 10 cents a loaf, or $30. The 68 pounds of mill products now sell for more than 2 cents per pound, or $1.36, leaving $22.56 for the expense of manufacturing and distribution. We do not think this margin justifiable while the country is at war, believing, as we do, that all unnecessary expenses between the producer and the consumer should be eliminated as much as possible. The producer gets less than 3 cents for the wheat in a 10-cent loaf. If $1 per bushel was added to the price of wheat, it would increase the price of a loaf of bread 1⅝ cents.

When wheat was 90 cents per bushel crackers retailed at 5 cents per pound. When wheat was selling at $2 per bushel crackers were retailing at 20 cents per pound. While the increase in wheat has been 100 per cent, the increase in the price of crackers has been 300 per cent.

Realizing that the wheat now in the farmers' hands should be placed on the market as requested by President Wilson, we ask that all wheat now held be sold at once, but ask that the Federal Grain Corporations guarantee that the farmer now holding wheat for seed, in the event of a failure of the 1918 crop, be furnished seed at the same price that he sells the wheat which he now holds.

Mr. GORE. Mr. President, I should say that the omitted parts of the resolutions adopted by this convention of farmers breathe the very highest and warmest spirit of patriotism, and reiterate the determination of the farmers to do not only "their bit" but their best in the prosecution of this war to an acceptable conclusion. It was not made up of such men as those to whom I have referred—Mr. Cotton and Mr. Durand. I should say, in passing, that other assistants of Mr. Hoover in the meat and other divisions are in the employ of the packing houses of this country.

I hold here the Chicago Tribune for February 26. The names were brought out in the so-called Heney investigation. It mentions a Mr. Brooks, who is in the employ and in the pay of Swift & Co., or was until recently. It mentions a Mr. Heyl, who was also in the employ and in the pay of one of the "big five" packing-house companies, receiving pay from that concern and receiving a dollar a year, as I am informed, from the Government of the United States; also a Mr. Priebe, who, I suppose, hatched out this embargo on hens and chickens. He is a representative of one of the big packing concerns—their poultry man. I do not mean to intimate that he placed an embargo on hens in order that the cold-storage establishments could get rid of their stocks; but he was in their pay and employ and receiving, as I am told, a dollar a year from the Government of the United States and from his packing-house employer $250 per month, plus 25 per cent of all the profits above 7 per cent per annum—I mean the profits of the particular subsidiary with which he was connected.

I ask to have printed in the RECORD, accompanying my remarks, this article from the Chicago Tribune.

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

Charging that the packers had "packed" the Hoover food board and other war boards in Washington with their own "confidential" men, Francis J. Heney, general counsel of the Federal Trade Commission, read some 150 letters—confidential letters and notes passing between the packers—into the records yesterday. The hearing was before Joseph E. Davies, examiner for the commission, and was held in the Federal building.

Mr. Heney indicated that there are many of these "dollar a year men" on the Government's pay roll who at the same time are on the pay of the packers at fancy salaries. He named three of these in the letters he read:

E. O. Heyl, of Libby, McNeil & Libby, a subsidiary of Swift & Co.
W. F. Priebe, of W. F. Priebe & Co., a subsidiary of Swift & Co.
F. S. Brooks, of Swift & Co.

OTHER EMPLOYEES "GROOMED."

Mr. Heney showed that efforts had been made to place other "trusted" men in similar Government war capacities. He also read into the records letters to show that Swift & Co. had employed Prof. L. D. H. Weld, of Yale, and had "donated" his services to the Government.

He read letters to show that plans had been laid to get "friendly" men into Government committees even before it was fully settled that Herbert Hoover was to be in control. The letters, it was explained, are not the famous "Veeder vault" letters, but other letters, secured at the packing-plant offices before the time of the Veeder clash. The Veeder documents are still tied up under court orders.

It is indicated by Mr. Heney that some of these high-salaried men, probably most of them, are drawing salaries around $10,000 a year, while from the Government they get "one dollar a year."

"HALF DOZEN DUAL JOBS."

"How many of these are there?" Mr. Heney was asked.

"Oh, say a half dozen, for a starter," he answered; and then he added: "They seem to be serving their employers in proportion to the pay they get."

He did not charge, except by inference, that these men were unfitted for the war jobs. The intimation was that a man on the pay roll of food producers was not properly on the Government boards.

Tom Creigh, connected with Cudahy & Co., was quoted as saying, in discussing meat prices to be fixed:

"I think the price should be as high as the consumer will stand."

MANY STRINGS PULLED.

Letters showed the methods employed in getting "favored" men on the boards and how they pulled the strings to approach Mr. Hoover. The object of the presentation of the letters before the Federal commissioners, apparently, is to show that the packers, by hook or crook, diplomacy, scheming, and clever ways brought about the naming of men recognized as "friendly" to their interests.

Letters were read from the various members of the Swift family; from Henry Veeder, recently the center of much legal maneuvering; from various other Swift employees; from Thomas E. Wilson, of Wilson & Co.; from David R. Forgan, banker; and many others. They are all regarded as throwing light on the business-getting methods of the packing magnates.

PRIVATE WIRES TO CAPITAL.

The fact was brought out that the various packers, after the war started, put private telegraph wires into Washington.

"They did not have them before, Mr. Commissioner," said Mr. Heney, addressing Commissioner Davies.

Henry Veeder, according to the Government men, was the "policy-maker" of Swift & Co., also for other packers. Mr. Veeder sat in the courtroom during the reading of the letters, as did M. W. Borders, whose vaults were taken over for investigation by the examiners.

J. P. Cotton, an attorney, it was explained, is head of the meat department for the Food Administration. Before that he was associated with Cravath, Henderson & Co., New York. Mr. Cravath's firm handled the reorganization of Wilson & Co. at the time it took over S. & S.

PACKERS GOT INSIDE TIPS.

Letters were read to show that the packers, through some "pipe line," knew of coming events in the Food Administration well in advance of Government announcements. As an example:

On October 7 Mr. Cotton was in Chicago and was shown over the stockyards. On October 11 Mr. Wilson wired other packers that Mr. Cotton was to get his appointment and asked that the information be kept "confidential."

It was also revealed that the men in the Food Administration tried to "pass the buck" to the Federal Trade Commission in the matter of fixing prices for foods. Members of the commission declined to act, on the suspicion that to do so would tie their hands in the investigations that were planned.

FISHER SMILES AT KNOCK.

Walter L. Fisher, attorney, representing cattlemen, sat in the court room as a spectator at the hearing. He smiled when letters between the packers and their representatives were read to the effect that "Fisher's influence with the committee is about gone. I think he will be dropped."

Here Mr. Heney explained that Mr. Fisher was not "dropped."

A memorandum was read from Louis F. Swift to N. A. Chaplin, dated October 7, 1917, directing that his automobile get Mr. Cotton at the Chicago Club and take him to the directors' room of Swift & Co. for a private meeting.

From another letter the quotation was given, "We'll get together and influence Cotton."

It is expected that a number of other names will be read into the evidence to-day. Also a number of witnesses are expected to come to-day from Missouri, Wisconsin, and elsewhere to tell of the plans of the packers and their attempts to monopolize the creamery and butter industries, which, Mr. Heney declared, are competing with oleomargarine and other packing-house products.

SWIFT MAN ON JOB.

An interesting lot of letters relate to E. O. Heyl, former manager for Libby, McNeill & Libby, a corporation, all the stock of which is owned by Swift & Co. Mr. Heyl had charge of the canning department and was put in charge of the canning policy of the Food Administration on regulations and fixing of prices.

Mr. Heney read the letters to show that Heyl while on the pay roll of Swift & Co. sought the place on the Hoover board, and made careful plans to get it even before it was known just what position and power Mr. Hoover would have.

The first letter, addressed to Julius Rosenwald, is dated April 9, 1917, shortly after war had been declared. It says:

"I have a very earnest desire to help to do something big for my country along lines I am especially equipped in. I am now the director of a division of departments, including all canned vegetables, for Libby, McNeill & Libby.

"If I could be a link in possibly a president's committee of business men who would, without expense to the Government, devote time and facilities at their disposal to the stimulating, mobilizing, and perhaps buying a portion of the Government's needed food supply, it would be an inspiring work for me and the field in which I could render best service."

GIVES PACKING REFERENCES.

A list of business references follows, including President Burrows, of Libby, McNeill & Libby, and Harold Swift. He adds:

"For confirmation of my sincerity of purpose the following men will assure you: The Rev. William Chalmers Covert, First Presbyterian Church; President M. W. Stryker, Hamilton College; Judge K. M. Landis and his intimate friend, my brother-in-law, Dr. Frank Cary."

BURROWS URGES AID.

Heyl is again referred to in a telegram from W. F. Burrows, an employee of Swift & Co., to L. F. Swift at Washington. It says:

"Understand Meeker and White in Washington and part of purpose of trip is to get identified with and offer services to Julius Rosenwald's advisory council and help stimulate food production and mobilize food supply. If anything like the above in prospect, believe representation by us desirable, and if we can give them portion of Heyl's time they would have for canned vegetables one who could do the country good and save them money. As we have no canned vegetables to speak of and won't have more till fall, Heyl's and our own sincerity of purpose will be evident."

The Meeker referred to there is Arthur Meeker, of Armour & Co., and the White is White of Armour & Co.

HEYL REPORTS TO SWIFT.

In a letter addressed to Louis F. Swift, Mr. Heyl said:

"At Mr. Burrows's request I send you copies of what I have written in the matter of trying to become a link in the Rosenwald committee of the Council of National Defense.

"One of this committee of three, Mr. Stanley King, * * * is an intimate friend of mine—met him in Russia. I saw King in Washington last week.

"My idea was to offer my services. * * * I know that the Rosenwald committee has now been given power to themselves to buy hundreds of millions of dollars' worth of supplies. They also 'sit in with' and vote on proposed outlays by Navy and Army commissaries. In this field, to buy right, they need a canned-food expert, and in such capacity I think I could be a big help to them and be a credit to my principals.

"From conversation with King, I doubt if such 'heavy ornamentation' as Arthur Meeker or prominent officials of other firms would be acceptable to the committee, and I also believe that much pushing of my case by my business friends might make them question our sincerity of purpose, but I thought the answer King sends me to my letter today—copy attached—would give me a line on the next best move."

PLAN TO "IMPRESS" HOOVER.

Next followed a letter from Louis F. Swift to G. F. Swift, jr., in which he says:

"If you want to go to Washington this week or next, you might arrange for Mr. Heyl to meet you there, as I think you and he might make quite an impression on Mr. Hoover. If you don't care to do this, I will have Charles Swift and Mr. Heyl do it."

Then came a letter from Charles H. Swift, dated White Sulphur Springs, W. Va., to Louis F. Swift:

"Will meet Heyl, New Willard, Washington, 8 o'clock Friday evening. You or Gus please keep me fully posted his movements as far in advance as possible."

CRIMINAL STATUTE CITED.

Other letters along the same line followed. These led to some by-talk in the hearing, as follows:

Commissioner DAVIES. Isn't there a Federal statute that makes all contracts void if there is any direct interest?

Mr. HENEY. Any interest——

Commissioner DAVIES. Through an employee of the Government—a dollar-a-year man?

Mr. HENEY. There is a statute making it a criminal offense.

Commissioner DAVIES. Makes the contract void, too, doesn't it?

Mr. HENEY. Yes; the general rule of law would make it voidable, at any rate.

PLANNED TO USE WELD.

The next letter, addressed to Louis F. Swift by William B. Traynor, was read. Following are quotations:

"As you know, we have been figuring to employ an economist and have been talking about Prof. L. R. D. Weld, of Yale. Dr. Weld is a recognized authority on just the subjects which Mr. Heyl states that Mr. Hoover will cover; in fact, he has been called to Washington before the Senate committee considering food control.

"If we succeed in hiring Dr. Weld and could arrange to have him come with us in a month or so, it might be a good move to tender his services to Mr. Hoover at our expense.

"The fact that Weld had not been in our employ would free our action of any appearance of self-seeking. At the same time it would be recognized as a patriotic and useful act."

HEYL'S APPOINTMENT ANNOUNCED.

Now comes a letter from Louis F. Swift to Henry Veeder, dated May 16, 1917, in which he says:

"Mr. E. O. Heyl, who has charge of the pickle, condiment, and similar departments in Libby, McNeil & Libby, and whom you probably know, has been appointed an assistant to Mr. Julius Rosenwald on the advisory commission of the Council of National Defense, and it is expected that he will have charge of the food end of Mr. Rosenwald's work.

"In connection with your recent interview with Dr. Weld, of Yale, and the possibility that we may engage him, the thought occurred to me, when reading Mr. Heyl's report on his interview with Mr. Hoover, that Dr. Weld would probably make him a valuable assistant."

He adds that, if agreeable, the firm contribute Dr. Weld's service * * * possibly for the duration of the war.

VEEDER IS CAUTIOUS.

Henry Veeder, replying to W. H. Traynor, Swift & Co., casts a doubt, saying:

"I would suggest that our acquaintance with Dr. Weld is rather recent and our knowledge of his work is rather limited for us to recommend him to the Government."

After this letter followed this conversation:

Mr. HENEY. Mr. Commissioner, up to that time all he knew of Dr. Weld was that he was recommended by E. Dana Durand, who seemed to think that his economic theories were correct, and Mr. E. Dana Durand, in the Garfield report of 1905, which was compiled by him, had quite strongly indorsed the economic claims of the big packers as to the importance of the position occupied by them in the industry and the correctness of it from an economic standpoint. Now, that was to lead them to try to employ him to appear as an expert witness for them before the Judiciary Committee of the House in 1916, at the time the Borland resolution was up.

Commissioner DAVIES. Nineteen hundred and sixteen?

Mr. HENEY. When they wanted to prevent the passage of the resolution that would bring about an investigation.

Commissioner DAVIES. You mean 1916?

Mr. HENEY. Yes; 1916. Prof. Weld has been employed by Swift & Co., and the correspondence shows the salary was to be $10,000 a year.

OFFERS ANOTHER EMPLOYEE.

Next comes another letter, dated from Santa Barabara, Cal., date July 24, 1917, from "F. S." to Edward F. Swift, Charles H. Swift, G. F. Swift, jr., and Henry Veeder:

"If there is any opportunity our Mr. F. L. Washburn would be glad to get on Hoover's committee. While I am sure of no chance, if it does come up, do what you can in way of mentioning his name. He is pretty keen on it, about like Heyl of Libby was."

He adds as a postscript: "As you perhaps know, Mr. Washburn is general manager of the Western Meat Co., San Francisco."

Here Mr. Heney explained:

"The Western Meat Co. stock is owned by Armour, Swift, Morris, and some others, but they all own it, and we have quite a little correspondence taken from the files of the Western Meat Co., which shows quite clearly a combination in the meat business in California, which I will produce later. Mr. Washburn, the manager out there, wanted to get on the Food Commission, but so far he has not arrived."

FORGAN ASKS SUGGESTION.

The next letter, addressed to Thomas E. Wilson, of Wilson & Co., on the stationery of the National City Bank, of Chicago, is signed by David R. Forgan. He asks Mr. Wilson to suggest a man "big enough" to assume the responsibilities of purchasing foods for the allies. The reply suggests George L. Marcey, of the Armour Grain Co.

Another letter, very brief, from Louis F. Swift to Mr. Forgan suggests that he might submit the name: "Carter H. Harrison, offering services to Government."

VEEDER ADVISES ACTION.

Henry Veeder, now in Washington, writes to G. F. Swift, jr., in Chicago. In his letter he says:

That the business of Swift & Co. in Washington warrants the placing of a Swift & Co. man—"of good appearance and good ability"—in Washington. That "with the assistance of Mr. Hamilton, such a man could quickly find his way around to the different departments in Washington."

He adds that he believes "such a man would be of more value in the departments of Washington than a strictly business man," and suggests a lawyer. Commenting further, Mr. Veeder suggests:

"Besides, his letter files could not be quite as easily open to inspection by the Federal Trade Commission."

Again, he remarks: "For your information, Libby, McNeil & Libby have found it necessary to place a man in Washington. They have sent Mr. Bettcher."

WHEELER TIPS OFF WILSON.

A letter from Harry A. Wheeler, of the Food Administration, to Thomas E. Wilson, Wilson & Co., dated Chicago, October 11, 1917, follows:

"DEAR MR. WILSON: Hoover's reply to my wire asking for information relative to buying committee was delayed, owing to telegram being misplaced. The understanding is that on Sunday Mr. W. V. S. Thorne, of the Harriman Lines will tentatively accept position of chief of the purchasing department of the Food Administration and will continue in that position if he feels he can be of definite assistance.

"There will be a conference between Mr. Thorne and the members of the British committee in New York, at which time a preliminary outline will be made of the best general plan to follow. This would indicate that the matter is so far open as to be subject to such influence as you may wish to exert."

FOR "FRIENDS AT COURT."

The next is a file of letters relating to general appointments of the Food Administration.

A memorandum of September 10, signed H. J. Nelson, an employee of Swift & Co., says:

"L. F. S. and C. H. S. agree to Mr. L. J. Wilbur's recommendation that A. C. Bigelow, our wool agent at Philadelphia, be permitted to accept a request from Mr. Gifford Pinchot to serve on a subcommittee under the Hoover food committee, in connection with increased production and conservation of sheep and lambs, Swift & Co. to pay his salary while so engaged."

URGES "FRIENDLY" AGENT.

A letter from "W. A. J.," Jersey City, manager for Swift & Co., to G. F. Swift, jr., Chicago, dated April 25, 1917, is, in part:

"We can not recommend to you too strongly the importance of doing everything in our power to see that whoever the provision representative on the new [Hoover] bureau contemplated is, that he will be friendly to Swift & Co."

The words "friendly to Swift & Co." are underscored.

FRIEND OF PACKERS ON JOB.

A letter of July 31 from James P. Moon, of Swift & Co., addressed to Louis F., E. F., Charles H., and G. F. Swift, jr., says:

"This morning's papers announce that Mr. John McE. Bowman, director of the Biltmore Hotel, New York, has been appointed a member of the food commission. As you are aware, he is very close to J. Ogden Armour and a good friend of Swift & Co."

Of this Mr. Heney said: "I think the record shows, Mr. Commissioner, that J. Ogden Armour owns $250,000 worth of stock in the Biltmore Hotel, of which Mr. Bowman is the manager. At any rate, that is the fact."

PROVIDING FOR FUTURE.

Then Mr. Heney read this letter, dated Chicago, June 20, 1917, addressed to Arthur Meeker:

"DEAR SIR: I suppose you are acquainted with Mr. Frank W. Harding, who has a fancy live-stock farm at Waukesha and who is secretary of the American Short Horn Breeders' Association.

"He was at the Saddle and Sirloin Club Monday when we were there with the Italian commission, but, of course, was not in our party. I think that Ed White knows him very well. The thought occurred to me, if later on we need any additional names of the character for Mr. Hoover's committee his name would be worth consideration.

"LOUIS F. SWIFT."

The reply from Mr. Meeker to Mr. Swift is:

"WASHINGTON, D. C.

"I think this is an excellent suggestion, and I'll make it if the opportunity offers.

"A. M."

REPORTS TO ARMOUR.

Next was read a note from T. J. Connors to J. Ogden Armour:

"DEAR OGDEN: Hoover has urged me to go to Washington to discuss matters of importance concerning food administration. I understand 'cold storage' is especially prominent now with them. I will be in Washington on Wednesday at the Shoreham. Tom will meet me, and anything you may send in his care will reach me.

"T. J. CONNORS."

The reply, dated June 28:

"I have your letter, and I certainly hope that you will find it possible to accept position that Hoover will offer you. I believe you can do your country a great deal of good by accepting this position, and it will please us all here very much if you can see your way clear to do so. My best regards to you.

"J. OGDEN ARMOUR."

Mr. Heney said: "It may be interesting to know that Mr. T. J. Connors was a prominent official of Armour & Co. until a short time ago. He has retired and is living in New York City."

SEEKS TO AVOID JOB.

A telegram from J. P. Lyman, connected with the Boston office of Armour & Co., to J. Ogden Armour, dated September 19, 1917, follows:

"Hoover wires asking for a few days of my time in Washington to advise on packing matters. I would like to avoid it, if possible, and be courteous. Have you any suggestions?"

Mr. Armour's reply to Mr. Lyman was:

"Meeker tells me when the packers were in Washington last week with Hoover he asked the packers about you in connection of representing Hoover and the Government in regulating the packers. Naturally all the packers told him you would be the ideal man for this position and most satisfactory to everyone interested. I think the position is of greater importance, much more so than the other one suggested by Rosenwald. I would suggest you at least see Hoover, and you can tell then better whether you want to accept it. I personally would be much pleased if you would see your way clear to accept this place."

SWIFTS DEBATE APPOINTMENT.

Charles H. Swift wrote a note to the other members of his packing house, under date of September 14, saying:

"For your information: It is reported here that Mr. Hoover is looking for a man to organize and head a department to investigate storage space, stocks on hand, how long stored, etc., and that Walden W. Shaw, Chicago, has offered his services without compensation.

"I never happened to run across Mr. Shaw, but am told he is a high-class man, of good appearance and education, and well fixed."

At the bottom of Mr. Swift's note is the notation: "Taxicab man."

On the next day Louis F. Swift replied to the foregoing as follows:

"Referring to the attached, I think it would be ridiculous to bring in a man from this branch of the business"—that is, the taxicab—"and I would like to talk with you at your convenience about whether we should take any action on this through the packers' committee or any other way. I think Harry Boer would be ideal although I do not know if the other job which they have in view for him will take up all of his time.

"LOUIS F. SWIFT."

The next lot of letters refers to food administration and several other things.

MORE APPOINTMENT TALK.

CHICAGO, *August 20.*

Louis F. Swift wrote to Edward F. Swift:

"I have been told that Tom Wilson is offered a department under Mr. Hoover to handle the meat business, and that he still has it under consideration but doubts the possibility of leaving his firm that long.

"I am told that Mr. Hoover would let the packers do anything that they wanted to do if they would join in recommendations, and it looked like a public benefit and economy in expense and the high cost of living.

"The best posted people in Washington think that there is going to be a big chance from now on—that Mr. Hoover is going to be the big man—that the interstate commerce law will be nullified, and even after the war large corporations are going to be handled more in the United States as they are handled in England and Germany, and I think it behooves us during the war to see what we can think of to economize and also after the war to see what suggestions we have.

"LOUIS F. SWIFT."

The next telegram is dated Washington, D. C., November 18. Herbert Hoover to Thomas E. Wilson, Union Stockyards, Chicago:

"Numerous complaints here indicate your branch houses doing wholesale business are not observing regulation forbidding dealers to sell at more than reasonable advance over cost of particular goods without regard to market or replacement value at time of sale. Subject should have your immediate attention as head of your business. Answer.

"HERBERT HOOVER."

MR. WILSON'S REPLY.

The reply, dated Chicago, November 20, was:

HERBERT C. HOOVER,

United States Food Administration, Washington:

Referring to your telegram, I have investigated matter fully and find our branch prices are controlled by instructions from Chicago. Think you are mistaken in statement that they are not observing regulations. If you can point to any specific case to the contrary, I would appreciate your doing so. It is our purpose in all cases to have instructions carried out.

THOMAS E. WILSON.

MEEKER ASKS APPOINTMENT.

A letter dated May 11, 1917, signed Swift & Co., per W. A. Johns, addressed to H. H. Swift, Chicago, is, in part, as follows:

"Mr. Williams advised us yesterday that the commission had received a very urgent letter from Mr. Meeker, impressing upon them the necessity for his appointment, and unless you favor Mr. Meeker's appointment it can only be prevented by your using every means in your power to keep your personality before Mr. Hoover."

MORRIS TO MEEKER.

Another letter, dated June 1, 1917, is from Morris & Co. to Arthur Meeker of Armour & Co.:

"Answering yours of even date, the only suggestion I have in reference to your letter to Mr. Hoover would be that I am a little doubtful of the advisability of the following paragraph contained therein:

"'A general plan of operating was quite fully discussed, and it was the unanimous opinion of all present that, given the proper authority, the committee could bring about lower prices to the consumer on meat products generally, with fair treatment to all concerned in the industry.'

"I would also call your attention to the fact that Mr. James B. Forgan is chairman of the board of the First National Bank. Have no further suggestions."

MEEKER WRITES TO HOOVER.

The letter to which it refers is one from Arthur Meeker to Mr. Hoover, in which he outlines a meeting of the executive officers from Armour & Co., Cudahy Packing Co., Morris & Co., Swift & Co., and Wilson & Co.

In this letter Mr. Meeker suggests a number of men as good material to make up a committee for the packing trades, including the butter, egg, poultry, and cheese industries. The list includes a representative from each of the five large packers and also from the Hammon-Standish Co., Detroit; Kingan & Co., Indianapolis; and Miller & Hart, of Chicago. Then follows a long list of representatives from the live-stock industry, from the butter, egg, poultry, and cheese interests, and additional names of men who are in outside trades, or in public life. In the latter list were: Julius Rosenwald, Edward N. Hurley, Harry A. Wheeler, James B. Forgan, and James Simpson, vice president Marshall Field & Co.

SWIFT MAN ON FOOD BOARD.

Mr. Heney introduced another set of letters relating to the Food Administration, particularly to Edward Chambers, a vice president of the Santa Fe Road, and F. S. Brooks, an employee of Swift & Co., who is now acting on the Food Administration for a dollar a year from the Government, but whose salary, Mr. Heney says, contiuues with Swift's.

This letter is dated Chicago, July 9, 1917, written by F. S. Brooks:

"Mr. W. B. TRAYNOR: Edward Chambers, vice president in charge of traffic, Santa Fe system, informed me confidentially Saturday afternoon that he had, through Mr. Ripley, been called to Washington to serve with Mr. Hoover as an associate in direct charge of the transportation end of the food conservation program.

"Mr. Chambers will undertake to bring about complete cooperation and harmony among the railroads of the United States in the execution of such plans affecting their interests as may be promulgated from time to time by Mr. Hoover and his advisers.

"Mr. Chambers said that in his new duties he thinks he will from time to time be brought in contact with our interests, and in that connection that we may depend upon him to the limit as our friend.

"Mr. Chambers in this capacity will be one of the most powerful railroad men in the United States, and it is peculiarly gratifying to say that he is probably the best friend I have among my friends."

BROOKS GETS JOB.

Next is a telegram dated Washington, D. C., August 15, 1917, addressed to Swift & Co.:

"I will appreciate very much your contributing the services of your Mr. F. S. Brooks to the United States Food Administration to assist Mr. Chambers in handling transportation matters. Mr. Brooks is very highly recommended, and this request is made for patriotic reasons. Would like him to report here Monday next.

"HERBERT HOOVER."

AS TO FRIENDS AT COURT.

A telegram from Thomas Creigh's cattlemen who went down to Washington to attend the meeting of the live stock committee with Hoover, under date of September 10, last, reads:

"Fisher and Burke, of the marketing committee, very much disliked by Hoover. [The Fisher is Walter L. Fisher, of Chicago.] They have no influence in Washington. E. C. Chambers, vice president Santa Fe, on Hoover's staff, will have the naming of the meat products men who will handle that end of the business. I believe Hoover will put a price on hog products, but not on beef or mutton. Chandler is very friendly to packers. The packers will have a real influence on the price to be put on meat products and I think it is wise for them to use a great deal of discretion in making this price, for two reasons: (1) To be fair to the producer; (2) to stimulate production.

"And I think the price should be as high as the consumer will stand.

"I think the marketing committee will be discontinued at the next meeting of the American National Live Stock Association, as most of the members are disgusted with their talk and actions. They are still in Washington."

$1-A-YEAR MAN REPORTS.

In a letter dated November 16 last to Mr. Traynor, of Swift & Co., Mr. Brooks wrote:

"As a matter of general information, Messrs. Pinchot and Lasater have retired from the Food Administration. Their activities were largely of a negative character, hence the remodeled plan of administering live stock jointly with the meat division, under Mr. Cotton."

Mr. Heney called attention to the fact of Mr. Brooks, a dollar-a-year man, reporting thus to his employers—Swift & Co.

FEARS EMBARRASSING LETTER.

The next document read by Mr. Heney was, in his words, "a statement which is marked at the bottom 'Original in the law department.'" It bears the heading "Washington, D. C., November 16, 1917," and is addressed to Swift & Co., and is signed by C. A. Hamilton:

"I learn that the letter which Lasater wrote to Hoover in response to the latter's request for a bill of specifications was a most severe roast upon the packing industry of the country. Mr. Lasater goes so far as to make accusations against one of Mr. Hoover's closest associates, and even says that this gentleman is directly connected with banks which handle packers' paper.

"The letter is a loud one, and its publication has been suppressed. * * * If, as is possible, a copy of the Lasater letter should get into the hands of some of the gentlemen in Congress who are always looking for ammunition with which to attack the packing industry it may lead to further congressional investigation and further embarrassment to business."

REFERS TO OMAHA ATTACK.

A note written to L. F. Swift by W. Leavitt on September 3, 1917, says:

"Advise you get a copy of resolution drawn up by Ed Burke, of Omaha, and which was presented to market committee at a meeting held at Walter L. Fisher's office in Chicago last week.

"It is rank, and against the packers. I expected to get a copy to send to you, but find it is unobtainable.

"Think same resolution will be presented in Washington this week at the Hoover meeting, represented by Chicago and outside cattlemen."

SWIFT TO MEEKER.

A letter written by Mr. Swift to Arthur Meeker on this same subject follows:

"I understand there was quite a meeting of the market committee at Fisher's office last week, where Burke presented a resolution very detrimental to the packers.

"I am trying to get a copy, but doubt my ability to do so. If you happen to know of any way to get one would be glad to have it, as I really do not know who was there"

Written in pencil on this same note was this:

"H. V. [Veeder] says does not think will be able obtain. Fisher gone to Washington. Leigh, of Cudahy, has friend on train en route Washington, who thinks will keep us posted."

The Mr. Burke referred to is a member of the market committee of the National Live Stock Association.

A later note to L. F. Swift from Henry Veeder indicates that a copy of the resolution referred to was obtained.

STOCKMEN VOTE LOYALTY.

The live-stock men's resolution, which Mr. Heney then read into the record, expressed the loyalty of the live-stock interests and their desire to do all possible to help on the food situation and to increase the herds, but it is asked that the Government "see that the large packing concerns do not by the present control of the central markets deprive the producer of a just profit, and that every agency of the Government should be employed to eliminate all manipulative and speculative efforts in the handling of live stock and its products."

CUDAHY COMMUNICATIONS.

Next Mr. Heney introduced some letters and telegrams relating to Hughes and Cudahy. Here is a part of a telegram from E. A. Cudahy to P. L. Hughes, at Washington (Hughes was representing Cudahy there):

"MAY 31, 1917.

"It looks like the Government will control food products, and Mr. Hoover has had several meetings with the Chicago packers. The five packers met on Tuesday to discuss ways and means of assisting the Government, but I was unable to get a general line on what was in the mind of Mr. Hoover that he expected the packers to do. If possible, I wish you would get from Mr. Hoover a general outline of how he expects the packers to handle their end of it."

On the same day, in a letter to Mr. Hughes, Mr. Cudahy said:

"If the packers are going to have representation on a general committee located at Washington, I would be very glad to offer my services to the Government in that capacity, except for the fact that Edward, as you know, is at Fort Sheridan for three months' training, and I would be very glad to see you represent the company in that capacity."

CUDAHY WANTS TO GET IN.

Next is part of a letter dated May 31, 1917, addressed to P. L. Hughes, Washington:

"As already advised you by wire, Armour and Swift and, I think, Wilson and Morris have had several interviews with Mr. Hoover in regard to the handling of the meat food products of the country in some way that will be satisfactory to Mr. Hoover and that will comply with and be controlled by the measures that are before the Senate now in regard to food control. * * * Of course, whatever plan the packers arrive at will have to be satisfactory to Mr. Hoover. * * * I wish you would establish in Mr. Hoover's mind that we are in the business and give him an outline of our volume, because the Government authorities think that Armour, Swift, and the other two are all there is in the packing business."

HUGHES MEETS HOOVER.

The next letter is dated July 5, 1917, from P. L. Hughes in Washington to E. A. Cudahy, Chicago.

"DEAR SIR: As per instructions, I arranged a meeting with Mr. Hoover at 11.30 Tuesday. * * * I suggested that no doubt a number of packers were visiting Mr. Hoover, and he said he did not remember seeing anyone there for some time except Mr. Meeker. They may be coming to Washington and talking over those matters with others, but I don't believe that there have been any conferences with Mr. Hoover regarding committees or organizations worked out with his approval. I think a good deal of this is worked out at Chicago and they are seeking Mr. Hoover's approval, which is going to be no easy matter to get until he can approach the subject with an open mind and after the Trade Commission has made an investigation and reported. Those are practically his words to me.

"He inquired about prices to the dealers, and I told him they were still pretty high—entirely warranted by the prices paid for live stock, and while the live-stock costs remained as they were, there was little prospect of lower prices, but that the grass cattle coming on later would have a tendency to reduce the price on beef and mutton, but that the demand abroad as well as the cost of live hogs was keeping up the price of pork, but as to how long that would continue one guess was as good as another.

"I felt I should be frank with him, as I felt quite sure he is well informed on this subject himself. * * *

HOOVER IS NONCOMMITTAL.

"I felt quite free to say that you would undertake to serve him on any commission that might be appointed for the purpose; but he was entirely noncommittal * * * so that I don't think it would be wise to press this question of personal representation for our company any further for some time.

"I feel morally certain he does not talk any other language to other packers' representatives than he has to me in the two interviews I have had with him, and this regardless of what they might say in Chicago when they get home. He took the same position last Tuesday that he did the first time I met him, namely, that we should get together and formulate plans for our own government, and see that the public is protected after a fair profit on our output is taken. * * *

"The fact is he likes to talk more about the billions of dollars that will be saved to this country by organizing the housewives of America and inducing them to be frugal and avoid waste, which will not only be a benefit to this generation, but for generations to come.

COMMENDS HOOVER'S STAND.

"He seems to be an earnest, straightforward man, and has certainly some original and practical ideas on the food question from the producer to the consumer, and I also think he will be conservative and use any powers given to him discreetly. * * *

"He was free with his conversation on all subjects except the one of commission appointments, and especially in our line.

"There is the largest lobby ever known in Washington, and I had an opportunity to talk with several I had met from other States, and they all seemed to be disappointed and sore and generally indulged in severe criticism on the bill for the control of food products of every description. The bill will have a hard time yet before it passes the Senate. There are a great many Senators opposed to it secretly, and they are endeavoring to kill it by amendments."

FOR MAXIMUM PRICES.

Another letter read at the hearing by Mr. Heney is dated Chicago, April 10, 1917, signed by Louis F. Swift. It was a statement given out to the newspapers. That was shortly after war was declared. It follows:

"Am very much in favor of the Government establishing maximum prices on all the principal items of food, and also the principal items and necessities of life, to the civilians as well as to the Government, if a practical way can be found.

"LOUIS F. SWIFT."

ON MAXIMUM PRICES.

Then, on April 19, 1917, two days later, a letter from Louis F. Swift and addressed to Harold H. Swift was:

"Reporting on the packers' trip to Washington our main object was to try to get Secretary Houston and other members of the Cabinet interested in maximum prices, to stop inflation and circulation, and also to offer our best services to the Government. While Secretary Houston promised to try to get a bill through Congress putting this power of price fixing up to the Council of National Defense—consisting of the following: N. D. Baker, Secretary of War; J. Daniels, Secretary of the Navy; D. F. Houston, Secretary of Agriculture; F. K. Lane, Secretary of the Interior; W. C. Redfield, Secretary of Commerce; W. B. Wilson, Secretary of Labor—letting them use their power whenever they found it necessary. He has stated pretty plainly that he was not in favor of maximums, and that he was not in favor of using the power unless he had to, but we all think that the club which Congress would give would be a big help.

"Secretary Houston seems to think that minimums are just as necessary, but I think he is absolutely in the wrong about this and that they will do more harm than good.

"LOUIS F. SWIFT.

"Copies to G. F. S., jr., and L. A. C." [That is, to George F. Swift, jr., and L. A. Carton, who is the treasurer of Swift & Co.]

DEFINING POLICY.

The next one is May 9, from Louis F. Swift to Charles H. Swift and G. F. Swift jr.:

"DEAR BROTHERS: If anyone should ask you about the policy of Swift & Co. and their views regarding food products, such as all grain, which might include ribs and lard—in fact, anything that is sold on recognized boards of trade or exchanges throughout the country—please be free, if practicable, to state most unreservedly that we regret to see them so high and would be glad to have the maximum prices established, eliminating speculators if possible. Neither would I have any objections to minimum prices as well.

"In regard to maximum prices on hogs and cattle, would have no objections, if practicable.

"Yours, truly,

"LOUIS F. SWIFT."

EMPHASIZES PRICE APPROVAL.

Then a letter from Louis F. Swift to Harold H. Swift, dated Chicago, December 10, 1917:

"Please notify Mr. Charles H. Swift by letter, care of the beef house, Washington, or by wire that the policy of the firm has been fully decided to say that we are in favor of maximum prices on grain and lard, short ribs and mess pork, cotton and wool—in fact, anything that has the board of trade valuation or a classified valuation.

"We also have no objection to minimum prices. The reason we have decided this way is that the packers in Washington have gone on record this way. We also had a meeting here at Chicago, going on record in the same way, and there are several committees at work on the same lines; and it is the only patriotic and proper thing to say. If we would say we are not in favor of it, it looks as if we were knocking the efforts of the people to live economically.

"As to what effect this would have on live cattle is problematical, but we believe that if the product did not advance the cattle would not. This also applies to mutton, beef, dressed and alive, the same way if they put a maximum on the short ribs, mess pork, and lard, without a maximum on the live hogs. We think the sympathetic effect would be satisfactory, if they are willing to take our changes yesterday; however, if they want to say that we should not pay any more for live hogs than we did this week recommend that we conform to that. I do not say that these things are practicable. I think there will be opposition enough from the farmers' society to prevent anything special happening, but I think the only thing to say is that we are in favor of maximum prices. Think it is better to send no letter to Mr. Hoover at the present time.

"LOUIS F. SWIFT."

ADMITS "GALLERY PLAY."

This letter follows it the same day, May 10, 1917:

Mr. CHARLES H. SWIFT,
Swift & Co., Washington, D. C.

DEAR BROTHER: Referring to my telegram of this morning and to the attached copy of letter, some of this is gallery play when we say we are in favor of maximum prices. But I repeat that it is the only proper thing to do, and I believe that it is possible to follow it out if the Government wants to. I am well satisfied that they do not want to and are not going to. At the same time, it does not make any difference—I mean our public announcement.

Yours, truly, LOUIS F. SWIFT.

CITES BRITISH METHODS.

Letter from A. D. White, who is publicity man for Swift & Co.:

CHICAGO, *May 1, 1917.*

(Addressed to Mr. L. F. Swift.)

Replying to inquiry made yesterday by John Brisbane Walker as to something authentic in regard to food prices control by the British Government, Messrs. Alden B. Swift and R. Mair state that London dealers were given to understand that if they did not fix some maximum price the Government would, and they got together and fixed their prices and are working in conjunction with the Government in the matter, but there has been no legislation so far that covers this situation. Mr. Mair is endeavoring to locate a copy of the minutes of one of those meetings, which Mr. Walker may have and which you want to send him.

A. D. W.,
Advertising Department.

The next one is from the same party—Arthur D. White—dated Chicago, May 2, 1917, addressed to Louis F. Swift:

"Referring further to mine of the 1st regarding some specific material to be sent to Mr. John Brisbane Walker, at his Denver address, showing British Government control of food prices, I have talked this matter over with Messrs. Alden B. Swift and R. Mair and Harry McLerre. I think it would be better to tell Mr. Walker that the Home and Foreign Produce Exchange (Ltd.), of Hibernia Chambers, voluntarily agreed on prices at which various products handled by members of the exchange should be sold, and agreed to restrict resales among the various similar channels of trade. For instance, wholesalers would not resell provisions between themselves at a profit, but would sell to retailers and retailers to consumers."

HENEY OFFERS COMMENT.

Mr. Heney broke off reading at this point to make the following comment:

"I am going to show the commissioner later that that rule has been very grossly violated during this war by some of our big packers by selling even to their own departments and reselling—the department being handled under a different name than the name under which the big packer does business generally—contrary to the rules issued by the Food Administration."

Then he resumed reading from Mr. White's letter, which concludes as follows:

"We feel that this whole subject of Government control of food prices is rather a questionable subject for us to have much to say about, because of the effect it may have upon the live-stock producers; and, on the other hand, the more this is agitated the more the politicians will see an opportunity for price control, and possibly a personal profit to whoever does the controlling. I think Mr. Walker can be satisfied with a statement such as I have suggested without having to send him any documents in support of it. If you approve of this policy of handling the matter, I will outline such a letter as I suggest for sending to him.

"ARTHUR D. WHITE."

TELLS OF MEETING HOOVER.

The following letter, headed "Swift & Co., president's office," was dated May 7, 1917. It was written in lead pencil, and Mr. Heney announced that it was an exact copy of the original from the files:

"Swift & Co. (Inc.). Central office, 3234 Tenth Avenue, New York. L. F. S.: H. H. S.

"Mr. Hoover arrived this morning, and I would probably have had an appointment for a short interview with him this afternoon, but fortunately myself, George J. Edwards, and W. A. Johns ran into his party at the Bankers' Club after luncheon and met him and learned the following:

"Up to date he has not been officially appointed to any Government position, and therefore had not planned for an advisory board or anything of the kind. In this connection, I left L. F. S.'s letter with him. He has, however, been asked by the President, or our Government, for his views and recommendations regarding the restriction of food consumption and maintenance of reasonable prices; or, in other words, the restriction of excess prices of food products in this country; and at the same time increased production of food products, and this is what he wants to work out to a conclusion and to a point to where he can give his recommendations, and, I take it, possibly to put them into effect if he is requested to do so, although he says he is not seeking such a position.

"PRICE FIXING NOT A SUCCESS.

"He says the establishment of the maximum prices has not been a complete success in any country up to date, principally for the reason that while they establish prices for the time being, it does not necessarily prevent the producer holding back or hoarding in anticipation of higher prices later, and it does not bring increased production.

"He is particularly concerned with and dealing with cereals and pork products, and would like us to give the subject our serious thought and see if we can offer any suggestions for a solution of the problem, such as fixed prices for a certain period, say, 12, 18, or 24 months, of grain, hogs, and provisions, the latter to give a reasonable profit to the packers; and he seemed to think it might be possible for the packers of experience to name a fixed price for these commodities that would be low enough to be fairly reasonable but high enough to encourage increased production and give a fairly satisfactory profit to all concerned, if they were reasonable and reasonably patriotic. He has fixed prices decidedly in mind as compared to a range in prices.

PROMISES PATRIOTISM.

"I told him I thought he would find the people pretty patriotic and that he would find considerable patriotism among the packers, and that, as far as we were concerned, we wanted to be of any assistance we could in working out the problem, and that he would find us satisfied with any reasonable adjustment of the subject and a reasonable profit, and that seemed to please him, although, while he is approachable and seems to desire cooperation, he is not at all flowery or democratic. We told him that inasmuch as the agitation for increased production of potatoes, beans, etc., and cereals was having a good deal of effect the same kind of agitation for increased production in hogs might bring corresponding results."

EXPECTED GOVERNMENT CONTROL.

The next letter read was from G. F. Swift, addressed to Messrs. L. F. Swift, L. A. Carton, and Charles H. Swift, a separate letter to each, dated Chicago, December 10, 1917. At the top was written "Strictly private." It follows:

"I think the possibilities are quite great that after the Food Administration discontinues at the termination of the war (their authority going no further) the regulating of the packers' profits it is quite likely to be picked up by the Federal Trade Commission or Congress as a permanent thing along the lines of a public utility. Of course, there is a possibility of their picking it up before the end of the war, with the idea of continuing it permanently, but I hope not.

"If there is a break between the end of the war at the time the Food Administration lets go of it and the time that some other body might pick it up, it seems to me especially important that in this period of the break it would be proper to increase our capital stock on the basis of that appraised value, and as it no doubt takes a long time—maybe a year or so—to get an appraisal of our property, I think we should start right away, so we may have it in hand. I therefore am strongly recommending that we go ahead and have our properties appraised by an appraisal concern with a good reputation. Are you agreeable to going ahead to this extent? Please reply.

"G. F. SWIFT, Jr."

INCREASE OF CAPITALIZATION.

The next letter is December 12, 1917. It is also marked "strictly private" and addressed to G. F. Swift, jr.:

"DEAR SIR: Replying to your letter of December 10, don't think that I would object to an appraisal of Swift & Co.'s properties being made. However, I think this is a matter that should have the approval of and the plan of making this appraisal agreed on by all the Chicago directors, if possible. Think a present date appraisal of values might be useful in many ways. I have no doubt an appraisal of Swift & Co.'s property in the United States and abroad would make the book value of the stock considerably over $200 a share."

Mr. Heney here broke in with a comment:

"I think you will recall, Mr. Commissioner, that the $75,000,000 of stock was increased last year to $100,000,000."

He then continued reading:

"I believe the following situation might be developed at the expiration of the war, i. e., that some United States private bankers or capitalists, or possibly the United States and English bankers or capitalists, or possibly bankers or capitalists from additional countries, might be brought into the proposition, first, by forming a syndicate to buy Swift & Co.'s stock on the open market, paying, say, up to $150 a share for it, and buying the bonds at par. Directors of Swift & Co., with the cooperation of this syndicate, formulating a plan and organizing two new corporations to buy outright the assets of Swift & Co. and liquidating the present Swift & Co., the two companies purchasing the assets of Swift & Co. to be organized and operated with a view of handling:

"First, the packing interest in the United States; second, a holding company to hold the stock and own the business done in foreign countries and to own the business now done by Swift & Co. in the United States that is not a part of the meat-packing business, as the tanning of hides, and soap, glue, butterine, fruit canning, etc. Possibly it might require three corporations to handle the whole thing instead of two.

"Yours, truly, EDWARD F. SWIFT."

MEETING WITH COTTON.

The next letter was dated Chicago, October 7, 1917. It was from Charles H. Swift to Mr. J. N. Chaplin, one of the head men of Swift & Co. It follows:

"My yard car will be at the general office at 8.30 Thursday morning; I would like you to go with it to the Chicago Club, calling for Mr. Joseph Cotton, of Cravath law office, of New York, who has been appointed by Mr. Hoover to represent him on packing-house business and live-stock interests, bringing him to the directors' room on the fourth floor for a meeting, letting L. F. Swift, E. F. Swift, G. F. Swift, jr., and myself know when you arrive and we will come immediately into a meeting.

"You have a copy of G. F. Swift's and my report on Tuesday's meeting with Mr. Cotton, and I think he will be glad to be talking with you on the way out.

"CHARLES H. SWIFT."

ON INSIDE TRACK.

The next thing read was a telegram dated New York and sent over the New York private wire of Wilson & Co. It was addressed, "V. D. S. Personal."

"V. D. S.," Heney explained, is V. D. Skipworth, who is vice president of Wilson & Co., and this is from T. E. W., who is Thomas E. Wilson." The telegram says:

"Mr. Joseph Cotton, prominent New York attorney, has been selected by Mr. Hoover to handle packing-house and live-stock matters.

"He formerly was in Mr. Cravath's office, and I had luncheon with him to-day. Treat this confidential.

"T. E. W."

"GET MORE OUT OF COTTON."

Letter dated November 23, 1917, addressed to Messrs. Louis F. Swift, Edward F. Swift, and Charles H. Swift, signed by G. H. Swift:

"I have been thinking a great deal about the proposed packers' arrangement with Mr. Cotton, and it seems to me that the packers have been a good deal swept off their feet with his sudden change in the basis of figuring, with his rush to put the matter through to a conclusion, and after thinking the matter over, I believe we can get more out of Mr. Cotton than we have."

CONFERENCE WITH WHEELER.

A letter from Charles H. Swift on October 2, 1917, addressed to Louis F., E. F., and G. F. Swift, jr., reports a meeting in Harry A. Wheeler's office attended by Mr. Wheeler, E. Dana Durand, and a representative of each of the Chicago packers. This letter says in part:

"Mr. Wheeler opened the meeting by saying that after consideration Mr. Hoover thought the proposed basis of limiting profits to 3 per cent would not work out satisfactorily. * * * Mr. Hoover wanted Mr. Durand to make a brief study of the situation, cost of product, etc., to see if they could arrive at a better plan. All expressed themselves agreeable to the plan.

"Mr. Durand explained probably one day at each of the packing houses represented at the meeting and one day at from five to eight of the smaller packing houses would be sufficient, and it was arranged accordingly that he should start this morning at Swift's office, which was his preference.

"And Mr. Wilson as chairman of the committee agreed to write each of them (the smaller plants) explaining the situation and getting them committed.

"Mr. Traynor has some notes, including a list of the food products which Mr. Hoover is trying to regulate, and will no doubt also write a report."

HENEY ON DURAND.

On Mr. Durand, Mr. Heney here remarked:

"You recall, Mr. Commissioner, I put in evidence some correspondence showing that Mr. E. Dana Durand was employed a short time before this by the big packers; he refused to accept compensation, but did accept the service of going to Washington to endeavor to induce the Agricultural Committee to undertake certain work of publishing certain data to be furnished by the packers, which the papers put in evidence from the files of the big packers showed was a part of the plan they had to defeat and prevent the passage of the Borland resolution and prevent an investigation by the Federal Trade Commission.

"And subsequently Mr. Durand accepted employment to edit certain articles to be published by one or more of the packers setting forth the economic defense of the packing industry as it is conducted, for which he was paid the sum of $300."

PROUD OF ACCOMPLISHMENT.

The next batch of letters read by Mr. Heney related to miscellaneous matters.

A telegram from F. J. Hagenbarth to Louis F. Swift, sent from New York on August 19, 1917, says:

"Hoover and Houston release public statement on Wednesday advising lambs and baby beef as most economic forms of meat production. Am proud of this accomplishment, as case at first seemed hopeless. This information confidential."

Mr. Hagenbarth is the president of the Wool Growers' Association.

On July 31, 1917, Armour & Co. wrote Everett C. Brown, president Live Stock Exchange, Chicago:

"DEAR SIR: General agitation against waste suggests the advisability of eliminating excessive feeding of hogs in the yards. Your exchange has already given this consideration, we believe. Along these lines, and as a conservation proposition, it is our belief that a rule should be established that after hogs have been sold no further feeding should be done but should be sent to the scales as soon as practical after sales have been consummated. Your consideration will be appreciated.

"ARMOUR & CO."

Beneath this letter was a memorandum that copies should be sent to the various Swifts and to other packing chiefs.

"Evidently after the hogs were purchased," Mr. Heney commented, "the delays occurred in getting them to the scales, and instead of stopping them from feeding the owners were letting them continue to fill up so they would weigh more when they got to the scales."

Mr. Heney read a letter addressed to Thomas E. Wilson, of Messrs. Wilson & Co., Chicago:

"MY DEAR MR. WILSON: Will you kindly have some one indicate to me the character and standing of Mr. A. W. Green, of 747 Postal Telegraph Building, Chicago? He writes to me in a 16-page letter concerning criminal practices of packers and the absolute necessity of our nationalizing the transportation lines of the packing companies, including also the stockyards and packing centers.

"I am interested to know who this man is. If you will turn this letter over to the proper person I shall be glad.

"I am drafted by Mr. Hoover in undertaking to standardize all of the churches of the country in connection with the propaganda that you helped me inaugurate in the First Presbyterian Church. It is a big job and opening well.

"Yours, sincerely, WM. C. COVERT."

ASKS TO HAVE LETTER DESTROYED.

In his reply to the Rev. Dr. Covert Mr. Wilson said:

"I have yours of July 26 inquiring about A. W. Green. I happen to know of this gentleman. He is a man well along in years, and, while he seems to think that he has some grievance against Mr. Armour in connection with some grain deal of many years ago, I am of the opinion that he has become a crank on such subjects on which he has been communicating with you. He is given to much letter writing, and I am sure if encouraged will make it necessary for you to take on an extra secretary to handle his correspondence.

"I would appreciate it if you would destroy this letter, as I do not want to be brought into any argument with this gentleman, and I am writing this confidentially, as I want to save you a lot of useless work.

"Yours, very truly,

"T. E. WILSON."

HENEY COMMENTS ON GREEN.

"I have had quite a number of communications," said Mr. Heney, "from Mr. A. W. Green, and I consider them about as clear an exposition of the situation in regard to the control of the big packers as I have seen anywhere in writing."

VEEDER IS "MORE THAN A LAWYER."

During the reading of the packers' letters, Attorney Heney called attention to the fact that copies of the various packers' letters were ordered sent to "H. V."—Henry Veeder.

"They do not relate," Mr. Heney said, "to questions of law, and they do not require the advice of an attorney, and I am merely emphasizing the fact that the Veeder vault contains a great many papers on all kinds of subjects that haven't anything whatever to do with the business of an attorney as such.

"That was the theory upon which the search warrant was issued to seize some papers there; but there was a good deal of argument made before the court by the attorneys for Veeder to the effect that he was a lawyer—an attorney's office.

"As a matter of fact, Swift & Co.'s down-town office is adjoining Veeder's, and they both open into the same library; the doors open against the same library room in which this vault is located, and there is a directors' room that opens directly out of this library, in which directors' meetings are held. The National Packing Co. has its office there and records there. The National Packing Co. is still in existence."

Commissioner DAVIES. The old National Packing Co.?

Mr. HENEY. The old National Packing Co., that was organized in 1903, and distributed its property in 1912, after the trial of the packers here.

"NOT LOOKING FOR ORNAMENT," MEANING MEEKER.

An interesting letter from W. F. Burrows, head of Libby, McNeill & Libby, to Louis F. Swift was read yesterday by Attorney Heney before Commissioner Davies at the packing-house hearing. Mr. Burrows is a subordinate of Mr. Swift. His letter, written on May 7, 1917, indicates no great prejudice in his mind in favor of his neighbor, Arthur Meeker, of Armour & Co. The letter says:

"Mr. L. F. Swift, U. S. Yards, Chicago: I understand Mr. Herbert C. Hoover, who is to be Food Controller, has reached New York and will be in Washington this week, where his activities will be more or less in connection with the National Council of Defense.

"I also understand that Mr. Arthur Meeker is 'moving heaven and earth' to be First Assistant Food Controller under Mr. Hoover.

"From what I learned in Washington, I believe this committee is not looking so much for ornamentation, such as Mr. Meeker would give it, as they are for men who can render, in a quiet way, real service.

"I understand that McDowell, in the fertilizer department of Armour & Co., has been appointed on the national fertilizer advisory board, and that other Armour men are being offered for this kind of semi-public service."

"DO GOOD" IN A PUBLICITY WAY.

Some letters regarding "publicity" for Wilson & Co. were read by Mr. Heney. One sent to Wilbur D. Nesbit, of the Rankin Advertising Agency, to V. D. Skipworth, vice president of Wilson & Co., dated June 2, 1917, says:

"DEAR MR. SKIPWORTH: You may be interested in the inclosed copy of a letter just to hand from Mr. Thomas R. Shipp."

The letter referred to is this:

MAY 29, 1917.

Mr. WILBUR D. NESBIT,
104 South Michigan Avenue, Chicago.

DEAR WILBUR: I tried to be as nice as I could to your friend Skipworth. He is a prince. Not for a long time have I encountered a man coming into Washington at this time who seemed to have such a thorough appreciation of the situation.

He had a good talk with Hoover, whom I had him meet, and we put a story into the Chicago Examiner and Chicago Herald, and had a promise from the International News that they would carry something along the same line, although I do not know whether they did or not. The Tribune man sent a story to his paper, but it was killed at that end of the line. Maybe you know why.

T. S.

This evoked from Mr. Skipworth a note to Mr. Nesbit, as follows:

"DEAR MR. NESBIT: I acknowledge receipt of your letter of June 2 inclosing copy of letter from Mr. Shipp. Mr. Shipp's kind expressions in regard to me are highly gratifying, I assure you.

"I told Mr. Wilson that Mr. Shipp was certainly a live wire and was in position to do us a great deal of good in a publicity way, which we may to some extent take advantage of in the future."

Mr. GORE. Mr. President, I do not mean to classify this agricultural advisory committee along with the gentlemen I have last named. Indeed, I do not mean to impeach those men. They are men of undoubted character, and, as I am informed, did not adopt the resolution which the morning paper imputes to them; but that has been heralded forth, a sort of camouflage, to deceive the farmers of this country and to mislead the people of this country. I have, therefore, taken occasion to put into the RECORD testimony from actual farmers, upon whom the Republic must rely in this hour of supreme peril.

Mr. NORRIS. Mr. President——

The PRESIDING OFFICER. Does the Senator from Oklahoma yield to the Senator from Nebraska?

Mr. GORE. I yield.

Mr. NORRIS. Do I understand the Senator to say that he has information that a report such as he has outlined from this committee has been sent to all the newspapers of the country to be printed to-morrow?

Mr. GORE. I called up this morning one of the departments which took part in the appointment of this committee, and I was told that the resolutions, presumably those mentioned in this morning's paper as having been adopted, had been placed in the hands of the press and released for to-morrow morning. Of course, I can not speak advisedly or with certainty as to the character of the resolutions. As yet I have not seen them.

Mr. NORRIS. How is that sent out? Is there a bureau of information in the department that does that work?

Mr. GORE. Mr. President, I must protest my ignorance. However it comes, it seems to be a universal sort of publicity, heralded everywhere, and I imagine that even the contradiction will not receive attention.

Mr. NORRIS. The Senator is aware, is he not, that there is such a bureau?

Mr. GORE. Yes, sir. It is currently reported and commonly believed that there is a full-grown, if not very effective, publicity bureau.

Mr. NORRIS. I am not speaking of Mr. Creel's bureau. I mean a different bureau—in the Food Administration.

Mr. GORE. Yes, sir.

Mr. NORRIS. Does the Senator mean that this information is sent out to all the newspapers of the country through the instrumentality of that bureau of information?

Mr. GORE. No, sir; I did not mean that. I do not know the particular agency through which the public is to be taken into the confidence of these gentlemen. The party who advised me did not go into details. I have repeated the statement as it was made to me.

Mr. NORRIS. Let me ask the Senator whether that is not one of the provinces or prerogatives of that bureau of information?

Mr. GORE. Oh, I assume so; I assume so. I take it that is what they are paid for.

Mr. NORRIS. I was going to ask the Senator about the pay. Can the Senator give us any idea how much money it costs to keep up that bureau, and if they are using it for this purpose?

Mr. GORE. The latest statement I saw was that they had expended, I believe, $1,300,000. They have been in existence, I believe, seven or nine months. At any rate, I figured it out, and it amounted to about $5,000 a day.

Mr. NORRIS. Which one of the bureaus of information does the Senator have reference to?

Mr. GORE. I refer to the Creel bureau.

Mr. NORRIS. I was not asking about that bureau, but the one that handled this particular information.

Mr. GORE. So far as the Hoover publicity bureau is concerned, I imagine that it is voluntary and gratuitous. There is not money enough on the globe to pay for the publicity accorded to that institution. [Laughter.]

Mr. NORRIS. No; I am not asking the Senator whether the newspapers are paid to publish it; but the newspapers have to get this information. I wanted to get what the fact was as to how they got it, and through what instrumentality, and whether that was one of the bureaus that we pay for out of the public funds, and whether this information that they are sending out was like the information that went out from the airplane bureau the other day, and which was shown to be a very great stretching of the truth.

Mr. GORE. The statement was that for the present the resolutions were confidential, but that they have been given the press and released for publication to-morrow morning. I ought to say, by way of apology to the Senate, that my reason for inflicting these remarks on them is in order that if such resolutions have been adopted and should be published they may be accompanied, if they are accompanied, by these challenges and contradictions. Perhaps if I could have obtained all the facts this trespass and apology alike would have been unnecessary. I have no sesame by which I can secure their publication in the public press of the country.

Only one other observation, Mr. President.

Mr. SMITH of Georgia. Mr. President, has no appropriation been made to carry the views of Congress to all the press, when their views are attacked elsewhere?

Mr. GORE. No, sir; I think not.

Mr. OVERMAN. They have to rely on the gentlemen up there in the press gallery.

Mr. GORE. There seem to be certain thumbs somewhere that are turned up or down that are quite efficacious.

Now, Mr. President, there is only one other word or two that I wish to say. The article from which I had the passage read contains a threat—I speak advisedly—that if Congress passes the bill raising the price of wheat to $2.50 Mr. Hoover will proceed to commandeer all the wheat in the United States—he has the power to do that—excepting seed wheat held by the farmers. He ought to do that if it becomes necessary to maintain the armies of ourselves or of our allies.

I do not see why such a threat should be made. I do not see why such a threat should be coupled with the prospective action of Congress. I do not see why its execution should be made contingent upon the action of Congress within its appointed and constitutional sphere. The Senate, animated by a sense of public duty and a patriotic desire to stimulate production, adopted an amendment raising the price of wheat to $2.50 per bushel. The Senate was actuated by patriotic motives and a spirit of public service. The other branch of Congress has the constitutional right to concur in and adopt this amendment. If it should concur in the amendment it would do so from the conviction that its adoption would encourage production and contribute to our efficiency in the war. But, sir, if Congress does not behave to suit the Food Administration it is to be rebuked and chastened by the Food Administrator. If the Congress assumes to discharge its constitutional function and its patriotic duty it is to call down upon its offending head the sword of retributive justice in the hands of the Food Administrator. If the Congress acts upon its own responsibility and acts contrary to the views of Mr. Hoover, he is to convert himself into an avenging deity. He is to wreak his wrath not upon the Congress alone but upon the unoffending farmers of the country. He does not threaten to commandeer wheat because it is being willfully hoarded. That would be a sufficient reason. He does not threaten to commandeer wheat because the necessity is impending and is imperious. That would be a sufficient justification. He threatens to commandeer all the wheat in the country if the Congress should slip its leash, should defy the lash, and should decide upon its own responsibility to do justice to the American farmer and, as time will reveal, an act of preeminent service to the American people and to their allies. I must be permitted to say that this threat, if true, is a brazen affront and an unprovoked insult to the Congress of a great and of a free people.

I called up Mr. Hoover to see what the facts were. I called up the Washington Post and asked to be connected with their city news service, in order to ascertain, if I could, the foundation for this statement in the morning paper. I was unable to get in touch with them. I could not obtain the light. I am, therefore, of necessity in the dark. Perhaps I ought to say that the article also suggests that the American people will be urged to reduce their consumption of wheat 50 per cent from the already low and established level. I do not complain of that. I think the American people ought to reduce their consumption of wheat to a point that will guarantee the efficiency of our own armies and the efficiency of the armies of our allies. The sacrifice, however great, will be cheerfully made and submitted to by the American people. But it strikes one as just a little amazing that we should be advised to reduce the consumption of wheat 50 per cent from the present low margin of consumption, that we should have wheatless days, and at the same time we should have a price fixed upon wheat which is less in many instances than the cost of production; that in order to stimulate the production of an article of which there is a dearth, an indispensable article of which the supply is now too limited, we should fix a price upon the product which will discourage those who are engaged in its production.

Mr. President, in 1770, in Calcutta, the Government established a price on grain that was too low. The people lived riotously every day. They consumed the available supply—the inevitable result of fixing too low a price on any article of primary consumption. When the supplies were exhausted, famine—gaunt and grisly famine—stalked abroad, the direct and legitimate offspring of governmental folly. That we should duplicate that experience and the multiplied experiences which have occurred in all the tides of time is at once astounding and incredible. No one can with justice complain of wheatless days if wheatless days be necessary. No one can complain of reduced consumption if reduced consumption be necessary. We yield with obedience to the dictates of necessity and of patriotism. But what excuse can be urged if the infatuation which would in disregard of our imperious needs and in defiance of universal human experience reduce the price of wheat below the cost of production, which would reduce the price of wheat to such a point as would discourage rather than encourage the production of this article of primary and preeminent necessity? Shall such dangerous folly be unleashed and allowed to run rampant over this country without let or hindrance? Perhaps I could not say with propriety that Jesse Holmes seems to be off on a furlough.

The farmers will make any sacrifice, they will bear any burden necessary to the winning of this war and for the vindication of the Nation's honor. They only ask that whatever burdens and sacrifices are imposed upon them shall be fairly apportioned among the other classes of their fellow citizens. If this be done, the farmers will be the last to complain.

Mr. President, I ask unanimous consent for the immediate consideration of the resolution.

The PRESIDENT pro tempore. The resolution will be read.

The Secretary again stated the resolution, which was considered by unanimous consent and agreed to.

THIRD LIBERTY LOAN.

Mr. SMITH of Georgia. Mr. President, I desire to read a two-line telegram from real farmers. It has reference to the subscription to the third liberty loan. It is from Trion, Ga., a little town in Chattooga County. Chattooga is one of the largest agricultural counties in the State. There is not a town in it that passes beyond rural classification. They were notified of the number of bonds for which the county is expected to subscribe, and they met this morning in Trion to consider raising the subscription, and they have telegraphed me the result. I am so proud of it that I want to read this two-line telegram:

TRION, GA.

Senator HOKE SMITH,
Washington, D. C.:

Chattooga County quota third liberty loan oversubscribed to-day. Trion district subscribed double her quota.

N. K. BITTING,
County Chairman.
W. I. BENNETT,
District Chairman.

STATEMENT BY THEODORE ROOSEVELT.

Mr. SMOOT. Mr. President, I just want a moment of the time of the Senate to refer again to the article in the Kansas City Star, or in the Washington Post, written by Col. Roosevelt.

I find that on April 2 the Associated Press sent to all of the papers of this country using that service the following telegram:

The Poindexter amendment would make it unlawful "for any person or persons, in the presence or hearing of others, to utter any disloyal, threatening, profane, violent, scurrilous, contemptuous, slurring, abusive, or seditious language about the Government of the United States; or the Constitution of the United States; or the President of the United States; or the Army or Navy or soldiers or sailors of the United States; or the flag of the United States; or the uniform of the Army or Navy of the United States; or the good and welfare of the United States; or any other language calculated to bring the United States or the United States Government, or the President of the United States, or the Constitution of the United States, or the Army or Navy or soldiers or sailors of the United States, or the flag of the United States, or the good and welfare of the United States into contempt, scorn, contumely, or disrepute; or any language calculated to incite or inflame resistance to any duly constituted Federal or State authority in connection with the prosecution of war; or to threaten the good or welfare of the United States or the United States Government; or to advise, urge, or incite any curtailment of production in this country of anything or things, product or products, necessary or essential to the prosecution of the war in which the United States may be engaged, with intent by such curtailment to cripple or hinder the United States in the prosecution of such war."

Mr. President, that is the exact language that was used by Col. Roosevelt; and that language was sent, as I say, by the Associated Press and given to them by a clerk of the Judiciary Committee.

Mr. HARDWICK. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Utah yield to the Senator from Georgia?

Mr. SMOOT. I yield.

Mr. HARDWICK. I did not hear the beginning of that. Was that dated April 2, and was that described as the Poindexter amendment?

Mr. SMOOT. It was.

Mr. HARDWICK. That was the same thing that I referred to. I read the same thing.

Mr. SMOOT. Now, Mr. President, to show how universally that was accepted by the papers of the United States, I refer the Senate to the New York Times of April 3, 1918.

Mr. GALLINGER. Mr. President, may I ask the Senator a question before he takes that up?

Mr. SMOOT. Yes.

Mr. GALLINGER. Do I understand the Senator to say that it was given to the Associated Press by a member of the Judiciary Committee?

Mr. SMOOT. Not a member of the Judiciary Committee; as I understand, it was given by a clerk of the committee.

Now, Mr. President, let me call attention to the fact that, based upon that telegram, the New York Times of April 3 published an editorial in which they commented upon the report as sent by the Associated Press, and in which the identical words found in that report are used. Mr. President, four days have elapsed since it was sent out. No Senator upon the floor of the Senate has found objections to the report until this morning, when they found in the press that same language used by Col. Roosevelt and commented upon. I am not going to take the time of the Senate to read it, but I ask that this editorial in the New York Times of April 3, 1918, headed "Punishment for the Disloyal," be printed in the RECORD, so that the RECORD will show just what the country understood the bill contained.

The PRESIDENT pro tempore. Without objection, it is so ordered.

The matter referred to is as follows:

PUNISHMENT FOR THE DISLOYAL.

Tardily, but with serious minds, the national lawmakers are repairing the astonishing defects in the Federal statutes relating to seditious and disloyal utterances. Treason, as was shown by the result of the trial of the editors of a German-language newspaper published in Philadelphia, can be established only when an "overt act" has been committed. For that crime the punishment of death may be inflicted. Disloyalty manifested in speech is equally offensive and scarcely less dangerous, but the penalties imposed by existing law are grotesquely inadequate.

The bill unanimously reported by the Senate Judiciary Committee yesterday, after it had adopted Senator POINDEXTER'S amendment, prescribes penalties severe enough to be really deterrent. Under its provisions whoever in the presence or hearing of others utters disloyal, threatening, violent, abusive, or seditious language about the Government, the Constitution, the President, the flag, or the uniform of the Army and Navy of the United States, or any words calculated to bring the Government or its institutions into contempt or disrepute, or calculated to incite resistance to Federal authority or to hamper the efforts of the Government in the prosecution of the war may be punished by imprisonment of 20 years and a fine of $10,000. The POINDEXTER amendment further provides that "whoever shall by word or act support or favor the cause of the German Empire or its allies in the present war or by word or act oppose the cause of the United States therein" shall be subject to the same penalties.

These are punishments proportionate to the magnitude of the crime. Although it is becoming more prudent, less open, disloyalty is still rife, and manifestations of joy over recent German successes, toasts to the Kaiser, to Hindenburg, and expressions of the hope that the German arms may yet triumph are reported almost daily. These offenders are not our pacifists, they are now becoming quiet, doubtless because of the moral conviction that when so flagrantly criminal and abominable a disturber of the peace as the German Empire has defied the force of civilization, discussion of peace and theories of peace must be deferred until he is overthrown and chained for a thousand years. The toasts to the Kaiser of which we hear nowadays are offered in the German language, and in places of German resort by Germans, actually alien enemies or other Germans whom birth or naturalization has not yet made American. These offenses are going to be made too dangerous to be persisted in. While we are at war with Germany utterances in support of the enemy or expressions of the hope that he may triumph can not be tolerated. The bill reported by the Senate committee, we hope, will be speedily enacted and its provisions rigorously enforced. It may be expected further that, putting aside all soft squeamishness about inflicting the death penalty, Congress will duly provide that criminal acts designed to impede our preparations for war, acts which destroy property and endanger human life, like the blowing up of munition factories or warehouses or attempts to destroy ships, shall be punished by death.

Mr. OVERMAN. Mr. President, I do not want to say anything more about this matter; but my language in regard to Col. Roosevelt applies to the Associated Press and any paper which has published under quotation marks that this is in the bill. I do not believe the Associated Press ever put any quotation marks around language not in the bill, and I know the clerk of the Judiciary Committee could not have given the Associated Press such language, because there is no such language.

Mr. SMOOT. Do I understand the Senator to say that as I read it the words were not in quotation marks?

Mr. OVERMAN. I do not say that; but anyway it says here——

Mr. SMOOT. Here are the quotation marks.

Mr. OVERMAN. If he puts that in quotation marks implying that this bill is that way, we ought to have an apology from him.

I wish the Senator from Washington [Mr. POINDEXTER] was here, because it recites the Poindexter amendment when there is no such thing, and the clerk of the Judiciary Committee says it was not possible for him to have given it.

Mr. MYERS. I wish to say——

The PRESIDENT pro tempore. The hour of 2 o'clock having arrived the Chair lays before the Senate the unfinished business, which will be stated.

The SECRETARY. A bill (S. 3771) authorizing the President to coordinate or consolidate executive bureaus, agencies, and offices, and for other purposes, in the interest of economy and the more efficient concentration of the Government.

Mr. OVERMAN. I say that newspaper or person who says that such language is in the pending bill, who makes that statement and sends by the Associated Press stuff like that, sends out a false statement. What right has the Associated Press man to copy and put in quotation marks language as occurring in the bill that does not occur in the bill? I would trust the clerk to give him a statement, but to put quotation marks around it himself I do not believe it. Therefore I do not think there are any quotation marks around the words, because I can not see how an honorable newspaper reporter could send out a statement of something occurring in a bill under quotation marks that does not occur there.

Mr. MYERS. Mr. President——

The PRESIDENT pro tempore. Does the Senator from North Carolina yield to the Senator from Montana?

Mr. SMOOT. I have the floor.

Mr. MYERS. Just for one remark.

Mr. SMOOT. I will not take more than a minute or two. I want to say to the Senator that the language used by the Associated Press is the exact language in the bill as reported to the Senate with a single exception as to the President of the United States.

Mr. OVERMAN. Of course, and that is the meat in the coconut. Did the press agent here at the Senate put into the language of that Associated Press dispatch under quotations that sentence and add to it when it is not true? Did Mr. Roosevelt do it upon his own authority or did he do it upon the Associated Press dispatch? I think he has the courage to come out and say he was misinformed.

Mr. SMOOT. Col. Roosevelt took the Associated Press report just the same as millions of people of the United States have taken it, and they were justified in doing so and I do not think they are to be condemned for so doing.

Mr. OVERMAN. I am not condemning anybody. I am saying this is not true. The New York Times did not put that quotation mark in, I am glad to say.

Mr. SMOOT. The New York Times uses the language used in the Associated Press dispatch. Of course, they do not put it in quotation marks, but they use it based no doubt upon the Associated Press dispatch.

Mr. OVERMAN. I have no doubt that is true. I can not see how the Associated Press man whoever he is would put in language in the bill that is not in it. The clerk would not give it to him and put it in quotation marks. That is an impossibility. I can not understand why he would insert those words in the amendment to mislead Mr. Roosevelt.

Mr. MYERS. Mr. President——

Mr. OVERMAN. The clerk is as good a man as there is in Washington and he never gave out such a statement. Here he is; he comes to me. He is entitled to be heard. He is, I say, as good a man as there is in Washington, one of the most valuable clerks here. All the words are in the bill except those about the President, and there is something strange about it; that the Associated Press should have misled the American people and misled Mr. Roosevelt. I say that I expect in the presence of the representative of the Associated Press, I think he ought to telegraph to the country the truth about it and how it happened. He should tell why he sent out a dispatch which misled the public, unintentionally, of course. I do not say he did it intentionally, but I say he has done it and misrepresented the truth. He is put in the same class with Mr. Roosevelt and he ought to have the courage to say it was not true and that he was mistaken.

Mr. KELLOGG. Mr. President——

Mr. OVERMAN. Now, I want to say another thing. I can not yield until I make a statement. The Senator from South Dakota has got the matter right. He is on the Judiciary Committee, and corroborates what I said. It never had the bill before it. Of course, the Judiciary Committee sometimes refers bills by numbers, but the bill he talks about, the Myers bill, was never considered in the Judiciary Committee. The Senator bears me out in the statement, and he naturally could do so, because he was there; he is a member of the committee. I yield to the Senator from Minnesota.

Mr. KELLOGG. Does not the Senator think his strictures upon the Associated Press are rather severe when they got their information from the clerk of the Judiciary Committee who undoubtedly handed out the wrong bill?

Mr. OVERMAN. He had no bill to give them.

Mr. KELLOGG. One moment. The bill which I read was before the Judiciary Committee and was considered by a subcommittee of the Judiciary Committee.

Mr. OVERMAN. Months ago.

Mr. KELLOGG. It is not at all likely that the Associated Press would deliberately take the bill that was reported and change it.

Mr. OVERMAN. He has not given the language of that bill.

Mr. KELLOGG. The bill that I read is exactly the language quoted by Mr. Roosevelt.

Mr. OVERMAN (reading)—

> Any disloyal, threatening, profane, violent, scurrilous, contemptuous, slurring, abusive, or seditious language about the Government of the United States or the Constitution of the United States, or the President of the United States—

That language is used when there is no such thing in the Poindexter amendment. The Poindexter amendment does not say anything of that sort. It shows the Associated Press representative did not have the Myers bill. If he wanted to give out the Myers bill, why did he not give it out? It is not the Poindexter amendment.

I have great respect for the man who represents the Associated Press, as I have for Col. Roosevelt, but having sent out language to the American people that is not true, I ask the Senator if he does not think it their duty to correct it?

Mr. KELLOGG. I think that they ought, and I have no doubt they will.

Mr. OVERMAN. That is all I ask.

Mr. KELLOGG. They have no desire, I am sure, to misrepresent any bill.

Mr. OVERMAN. I am making no strictures on anybody, except to say that they misrepresented, and the Senator admits it, and having admitted it is not true, then let them say there has been a mistake.

Mr. KELLOGG. If the Senator will ask me his question and give me an opportunity to answer it, I will try to do so.

Mr. OVERMAN. All right.

Mr. KELLOGG. I say undoubtedly the Associated Press will correct it, as they ought to do, and I have no doubt they are perfectly willing to do it. The surprising thing is that it created no sensation until Col. Roosevelt wrote about it.

Mr. OVERMAN. He is a sensational man, and he sends in a day ahead to the Washington Post an article which will appear Sunday morning in another paper in this country, a syndicated letter. He gave this notice of it, this man who is always in the limelight.

Mr. CUMMINS. May I ask the Senator from North Carolina a question. Is it his intention to endeavor to correct in this way all the misrepresentations that are made concerning committees of Congress and Members of Congress?

Mr. OVERMAN. No.

Mr. CUMMINS. If so, he will be very fully occupied during the next few weeks. There is not an issue of a paper I see anywhere that does not slander Congress or some committee of Congress or some Member of Congress.

Mr. OVERMAN. That is a different thing from slandering the Committee on the Judiciary and putting in words in quotations. It is a slander on the Senator who is a member of that great committee. Mr. President, to say that it was referred to our committee, and the Judiciary Committee adroitly did, it slanders the Senator as well as myself and every member of the Judiciary Committee.

Mr. CUMMINS. I do not defend the statement. I think the Senator from North Carolina magnifies its importance—that is all—and I do not believe we ought to take up the time of the Senate in endeavoring to correct a statement of that character.

Mr. OVERMAN. Representing that great committee on this floor, I think I would be untrue to the committee as a member of the committee not to defend the Senator himself, because Roosevelt said the committee adroitly put it in. The Senator is a member of the committee and so am I.

Mr. CUMMINS. I hope the Senator will always defend me when slanders and libels are uttered about me. The Senator then will have his hands full.

Mr. OVERMAN. I will when the Senator is a member of the Committee on the Judiciary, and the whole committee is slandered, and he is a member of it.

The Senator is a member of the committee, and when this dispatch says the committee adroitly put it in there he is slandered as well as every other member of the committee.

Mr. VARDAMAN. I hope the Senator will not confine his defense to the members of the Committee on the Judiciary exclusively. I should like to put myself in his hands.

Mr. OVERMAN. Mr. President, I ask that the unfinished business be temporarily laid aside, and that the Senate proceed with the consideration of House bill 8753 to amend section 3, title 1, of the act entitled "An Act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

The PRESIDENT pro tempore. The Senator from North Carolina asks unanimous consent that the unfinished business be temporarily laid aside and that the consideration of House bill 8753 be proceeded with. Is there objection? The Chair hears none. The bill is before the Senate. The pending amendment is that offered by the Senator from Colorado [Mr. THOMAS], in line 18, after the word "shall" to insert the word "willfully," and also in line 4, page 3, the same amendment, and in line 7, the same, and in line 14, the same.

Mr. REED. Mr. President, the bill under consideration deals with the character of publications that may be permitted in the United States. The discussion which has just ended has to do with the principal contributor to the Kansas City Star, Mr. Roosevelt. There has been a good deal of question raised about his misquotation of a bill. There has also been a good deal of discussion as to whether the statement of ex-President Roosevelt was based upon a misquotation. I only desire to say that Mr. Roosevelt has written other articles for the Kansas City Star, some of which have contained statements of a most remarkable character. I do not intend to comment upon them, but I do call attention to the general attitude of the Kansas City Star, and I think its attitude is proper to consider in connection with the kind of propaganda Mr. Roosevelt is carrying on.

Mr. President, I read an editorial that appeared in the Kansas City Star on Saturday, March 16, 1918, and ask the attention of the Senate to it, particularly I desire the attention of those who are raising questions regarding the scope of this bill:

IF YOU WERE A GERMAN.

> Suppose you were a German born and bred. Suppose you had been brought up to feel that your country possessed a superior civilization that was the object of envy and hatred of your neighbors. Suppose it had always been borne in you that your nation owed its place in the world to its armies, and that it must extend its power by armed force

or else be overthrown. Suppose you had been fed with assertions that your country had been attacked by jealous foes, and that it was fighting a successful war against them.

Do you have any idea that under such circumstances you could be brought by persuasion on the part of your enemies to disown your government?

Wouldn't your disposition be to sneer at enemy propaganda and to become more set in your ways? Would anything except military defeat make you check up and inquire into the real significance of a world policy that had involved the nation in disaster?

I now read in connection with that editorial from the Star an editorial which appeared on the same day in the Kansas City Post. The Kansas City Post is a loyal pro-American newspaper:

SO THE PEOPLE MAY KNOW IF YOU WERE A GERMAN.

"Suppose you were a German, born and bred. Suppose you had been brought up to feel that your country possessed a superior civilization that was the object of envy and hatred of your neighbors. Suppose it had always been borne in you that your nation owed its place in the world to its armies, and that it must extend its power by armed force or else be overthrown. Suppose you had been fed with assertions that your country had been attacked by jealous foes and that it was fighting a successful war against them.

"Do you have any idea that under such circumstances you could be brought by persuasion on the part of your enemies to disown your government?

"Wouldn't your disposition be to sneer at enemy propaganda and to become more set in your ways? Would anything except military defeat make you check up and inquire into the real significance of a world policy that had involved the nation in disaster?"

The above article appears as an editorial expression in to-day's Kansas City Star—and when you remember that this paper is managed by August Seested and some of the facts to which he swore a little less than a year ago, you will understand its full import and effect.

Seested, in securing the rights of American citizenship after this country was forced into war by the ruthless Hun, swore that he was born in Germany, lived there until almost maturity, received his education in the schools of the country which teaches that they "possess a superior civilization which is the object of envy and hatred of your neighbors."

View these facts concerning the man who dictates the policy of the paper and then read again that editorial.

Remember, too, that it is the speeches of President Wilson which are now classed as "enemy propaganda"—those great documents of humanity, which express the fundamentals of equality, liberty, democracy.

Remember that it is President Wilson who is holding aloft the torch of truth, that its rays may fall upon the deluded subjects of the Kaiser to let them know that we are not fighting peoples, but are fighting against that system of autocracy which ravaged Belgium and Serbia, which plots in other countries, which has been guilty of the greatest atrocities of all times.

Remember that this war must last until all peoples shall rule themselves and democracy become a reality in all the world—a reality for even the people of Germany, who are even now breaking away from that feeling of superior civilization and looking for the benefits of peace and freedom from subserviency to a mad monarch.

Remember that the Kaiser has used millions in this country in a futile effort to arouse the people of German blood to some sense of love and reverence for their fatherland, has instilled his subtle poison into the press wherever possible, has used every means that intrigue could suggest to obtain aid for his failing cause by dividing the people of this Nation.

Remember, and then read again. Do you believe it is an appeal to more vigorous war effort? Or do you believe that it is a subtle appeal to every former subject of the Kaiser who may be hesitating between a fondness for the place of his birth and loyalty to his chosen home to remember the teachings of his youth?

When you mark the fact that the speeches of President Wilson are classed as "enemy propaganda" you can not mistake the answer.

I think, Mr. President, that the attitude of that paper toward the Government ought to be considered at this time, together with the fact that it did the astonishing thing of going half-way across the continent and securing a citizen of New York to contribute to its columns, and that since he began writing for that paper there has not, so far as I know, been a single kindly or complimentary statement in regard to the officers of the Government appeared in a single article written by Mr. Roosevelt and published in the Star in his article. I think those facts ought to be taken into consideration, and I think Mr. Roosevelt knows the proper place in which to carry on his propaganda.

Mr. VARDAMAN. Mr. President, I have no desire to prolong the discussion of the Roosevelt incident, but I want to say that in his fulmination of error as it has been described he said some things that every American citizen should make a part of his political creed. I think no one will charge me with playing the very unusual rôle of defending Mr. Roosevelt. I have had the fortune, good or bad, to have his most cordial dislike and opposition since I entered public life. But, as I said a moment ago, from the gush of this human Vesuvius has fallen, perhaps accidentally, some jewels of truth which I commend to the serious consideration of every American citizen. I will read it:

Our loyalty is due entirely to the United States. It is due to the President only and exactly to the degree in which he efficiently serves the United States. It is our duty to support him when he serves the United States well; it is our duty to oppose him when he serves it badly. This is true about Mr Wilson now, and it has been true about all our Presidents in the past. It is our duty at all times to tell the truth about the President and about everyone else—

He might have added in public and in private life—

It is our duty at all times to tell the truth about the President and about everyone else, save in the cases where to tell the truth at the moment would benefit the public enemy.

To that sentiment I subscribe unconditionally. He may have said some things in this editorial he ought not to have said, but a fairly satisfactory explanation has been made here, and I am always charitable enough to think in the language of Irving Russell that—

* * * de sinfulness ob sin
Is 'pendin' 'pon de sperrit what we goes an' does it in.

Mr. President, with the consent and kindly indulgence of the Senate I wish to submit a few observations upon the pending bill. Mr. President, there is much fundamentally un-American, and many of the elements of potential despotism in the pending measure. The intentions and purposes, however, of the committee that recommended it to the Senate were entirely pertinent and patriotic. The end sought to be accomplished by them is the country's good, and if the proposed law should be enforced in line and in accord with the spirit and purposes of its proponents, no harm could possibly grow out of it, but, on the contrary, good would result.

But I fear the bigot, the charlatan, the man in office who would prostitute a public function to the promotion of his partisan or private interests will find in this measure a convenient engine of oppression. There are evidences at hand that all men in high official station are not like Cæsar would have his wife in that regard—altogether above suspicion. However high, noble, and grand the head of the Government may be, there is always some groveling politicaster to do the little dirty things to please the annointed one and punish the disobedient.

The fevered state of the public mind at this time prevents calm, dispassionate discussion and fearless reasoning upon any subject. Men are not permitted in some instances, be they ever so honest and patriotic, to express their honest thoughts, if indeed those thoughts should be in discord with the wave of popular passion. It is a lamentable state of affairs—the times are all out of joint.

Thomas Jefferson, in his animadversions upon the Federal judiciary, if uttered to-day, would be denounced under the terms of this bill as savoring of treason or disloyalty to his Government.

Mr. President, the strength of this Republic consists in the moral qualities and intellectual acquirements of the individual citizens thereof. The Government is strong and great in proportion to the strength of mind and moral force of the individual man and woman. The citizens can not develop to their utmost in mind and morals without fully enjoying unrestricted the privilege to think, the freedom of speech, and unproscribed action in the performance of the duties of citizenship. A citizen of this Republic has got a right to think, and that right carries with it the right to think incorrectly, if perchance his mental machinery shall be somewhat warped. The mental strait-jacket has never been used with success in a republic, and it has no place in America.

Thomas Jefferson held to a doctrine which he expressed in a letter to Spencer Roane, which would now be looked upon in these ungodly times as heretical. He said:

My construction of the Constitution is very different from that you quote. It is that each department is truly independent of the others and has an equal right to decide for itself what is the meaning of the Constitution in the cases submitted to its action, and especially where it is to act ultimately and without appeal.

That sounds rather revolutionary, don't you think, in these abnormal times? His denunciation of the Federal judiciary as "sappers and miners of the Constitution, changing our form of government by judicial construction" would under the terms of this measure subject him, if not to imprisonment, to the humiliation of trial in a criminal court.

Mr. President, all proscriptive legislation of this character originates in the minds of men who question the capacity of the citizen for self-government. It is a manifestation of lack of confidence in the intelligence and patriotism of the American people and their ability to govern themselves and, in their individual capacities, to protect and uphold the institutions of the country. I believe with Jefferson that you can rely upon the citizen to do his duty, do the things needful for the preservation of the institutions of this country and the protection of our Government against enemies in the open and under cover.

It is fresh in the minds of Senators, doubtless, the vigorous fight that Abraham Lincoln made against the rulings of the court in the famous Dred Scott case. You will recall his reply when attacked as to the way he proposed to resist the court's decision in that case. He said:

We oppose the Dred Scott decision in a certain way, upon which I ought perhaps to address you a few words. We do not propose that when Dred Scott has been decided to be a slave by the court we, as a mob, will decide him to be free, * * * but we nevertheless do oppose that decision as a political rule which shall be binding on the voter to vote for nobody who thinks it wrong, which shall be binding on the Members of Congress or the President to favor no measure that does

not actually concur with the principles of that decision. * * * We propose so resisting it as to have it reversed if we can and a new judicial rule established upon this subject.

What would be said of a Senator or Congressman who expressed sentiments of that character at this time touching legislation which has been enacted of an extraordinary and unusual character since 1914? The war-generated spirit of intolerance would demand the application of the thumbscrew or burning at the stake or perhaps with a brand of infamy upon the right cheek of the man who would dare, for his country's good, to express such heroic and salutary sentiment as that expressed by Mr. Lincoln, who, it will be remembered, quoted Thomas Jefferson to sustain his defense of the right of the liberty of speech and the freedom of expression. One may differ in opinion regarding the object for which Lincoln contended, but no brave, self-respecting American citizen will question his constitutional right to do that which he did.

Mr. President, I yield to no man in my devotion to America and the cause for which our sons are dying in the trenches of France. There is no sacrifice that I would not make, personally, for the good of my country at this desperate moment. I, along with other fathers whose age debar them from active service in the ranks, have contributed of the priceless jewels of a father's love to the toll which the god of war demands, and I did it with my boy's consent and by his invitation, imbued with the spirit of that peerless Roman youth who gave himself to the gods Manes for the safety of his country. It is a beautiful story, expressive of the highest order of the purest patriotism, which has been exemplified by American youths in this war.

A wide gap, called afterwards Curtius lacus, had suddenly opened in the forum, and the oracle had said that it would never close before Rome threw into it whatever it had most precious. Curtius, on hearing the answer, demanded of his countrymen whether they possessed anything so valuable as their arms and courage. They yielded a silent assent to the question put them by the heroic youth, whereupon, having arrayed himself in full armor and mounted his horse, he plunged into the chasm, and the people threw after him flowers and fruit, the usual tribute which virtue always pays to heroism. And, as the story goes, the earth closed immediately over him. The price had been paid and Rome was saved.

Mr. President, the superb example of this mythological character has become common actuality in America since the declaration of war a year ago to-day. From all the walks of life, the high and the lowly, the rich and the poor, the weak and the strong, have come, men demanding that they be permitted to sacrifice all, if need be, for the Stars and Stripes—for American independence and for the preservation of American ideals and American liberty. Fathers and sons have offered their services, mothers have given their boys, wives have offered their husbands, and with their benediction pronounced by loving lips, have sent them forth to do and die in defense of our country. A spectacle more heroic, more inspiring, and sublime does not glorify the pages of American history. In recognition of those heroic facts let us be careful lest we enact laws that will be misinterpreted and misconstrued, laws that reflect upon the intelligence and patriotism of the people, laws that question the capacity of the people for self-government. The enemy to his country who stands upon the street corners and prates his cowardice or infidelity has no influence upon the patriotic citizen. His criminal vaporings evanesces as bad air. You can rely upon the inherent patriotism and the individual good judgment of the citizen to take the grains of wisdom from the talks of men and appropriate them to his use and cast aside the chaff. The people can take care of themselves. They do not need the guardianship of the Congress and the White House.

I believe in an hour like the present that the fullest and freest discussion should be permitted. In the sheol of a world disaster, which adumbrates the whole earth, we need that light which is generated only by the attrition of ideas and the exchange of thought.

> Words are things; and a drop of ink,
> Falling like dew upon a thought, produce
> That which makes thousands, perhaps millions, think.

Or, to use a more homely illustration, when we are going around sharp curves or crossing the breakers under a full head of steam, all the headlights should be turned on. The rights and privileges guaranteed by the Constitution should be upheld and scrupulously respected. I would not proscribe men and women in the expression of their views, for the reason that in doing so I fear that I might be influenced by my own feelings and my own earnest desires, which might carry me too far in certain directions. There is danger in proscription. There is absolute safety in freedom of thought and liberty of speech. The lie is harmless as long as truth is free to combat it. To make myself better understood I will be permitted, I trust, to paraphrase a statement made by one of America's greatest constitutional lawyers and noblest patriots: "It is not from the exercise of despotic power, nor yet from the headlong passions of a raging people that we will learn our duty to one another and to our country." When the prophet Elijah stood on the mountainside and looked for some token of the Divine will, he did not see it in the tempest or the earthquake or the fire, but he heard it in the "still, small voice" which reached his ears after they had passed by. We have heard the storm of political debate, we are feeling the earthquake shock of a world war, we are seeing to-day the effect of legislative persecution. We shall find the truth when they are all passed and gone, and we will find it by hearkening to the "still, small voice" which speaks to our consciences in the articulate words of the Constitution from the graves of our fathers. If we can not get the truth from them, if their words of wisdom and the light of their patriotic example do not lead us in the straight and narrow path, then, Mr. President, the days of this great Republic are numbered. The end is not far away. I would counsel moderation in this hour of trial. Laws that originate in intense hatred or excessive love are equally unreliable and necessarily unstable.

It is a mistake to legislate upon the presumption that all the wisdom and all the patriotism are confined to Congress and the executive branch of the Government. Reasoning from that hypothesis leads inevitably to a false conclusion, finally to disaster.

Mr. President, may I be permitted at this point to counsel with my colleagues and urge upon them the necessity for concord of purpose, calmness of discussion of all questions pertaining to the war? America should present a united front to the common enemy. And no word or act should be said or done that indicates in the slightest a division of sentiment in our ranks. No man or coterie of men in this body or out of it have a corner on all the wisdom and all the patriotism of the American people. Patriotism is a common attribute, and the inherent wisdom and good judgment of the average citizen is the sheet anchor of our national hope.

I can not more fittingly close what I have to say than by quoting from an ancient Greek who had felt the hot iron of adversity in his heroic soul. He understood the fallibility of men, the unreliability of human judgment, and in the shadow of doubt, conscious of human limitations, he uttered these wise words for the guidance of his people. I commend them to your careful consideration:

> Tossed on a sea of trouble, soul, my soul,
> Do thou myself control
> To meet the weapons of advancing foes
> A stubborn breast oppose,
> Undaunted by the hostile might of squadrons
> Burning for the fight.
> Thine no vain boasting when the victor's crown
> Wins the deserved renown;
> Thine no dejected sorrow when defeat
> Would urge a base retreat.
> Rejoice 'mid joyous things, nor overmuch
> Let grief thy bosom touch
> 'Mid evil; still bear in mind
> Now changeful are the ways of human kind.

Mr. MYERS. Mr. President, I want to come to the rescue, if I may, of some of the language of the committee amendment to the pending bill, which has been attacked. I shall endeavor to be brief about it.

I feel a peculiar interest in the language, for much of the amendment was taken verbatim from my now suddenly-famous bill of last August, and enacted into a statute in the State of Montana by the legislature of that State; and the greater part of that Montana statute appears to have been taken by the Judiciary Committee of this body and incorporated in the committee amendment; so I suppose I may modestly claim to be the author of a part of the language of this committee amendment.

There have been offered upon the floor of the Senate a number of amendments to the committee amendment. To most of them I am opposed. There have been some amendments offered to extend the scope of the bill and to make it more comprehensive and far-reaching. Those I favor, because I favor hitting deviltry and disloyalty and mischief in this critical crisis just as hard as we can hit them. I believe in making this bill just as comprehensive and drastic as it may legitimately be made under our Constitution and form of government, in order to attain the purposes at which it is aimed. But to the other amendments, those to change the wording of the committee amendment, I am opposed naturally, for a number of reasons.

In the first place, as I have said, I find some of this language which it is proposed to change was framed by me in the bill which I introduced here last August. It is often said by judges in writing opinions of courts, when referring to certain language, that they have no pride of authorship; but I believe I

can not say that as to the words affected by some of the proposed amendments, because I believe they are fitting words and are best adapted to the purposes for which they were intended.

There has been an amendment offered, I believe, to strike out the word "inflame," in line 5, page 3, of the bill, or at least there has been some objection made to it, the language there being:

Or publish any language calculated to incite or inflame resistance to any duly constituted Federal or State authority in connection with the prosecution of the war.

Mr. KING. Mr. President——

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

Mr. MYERS. I yield, with pleasure.

Mr. KING. Does not the Senator from Montana think that the word "inflame" is rather unhappily selected, and that the word "cause" would be better and stronger to effectuate the result?

Mr. MYERS. No; I can not say so. The disjunctive form of language here used is "to incite or inflame." "Incite" is to cause, to initiate, to start, to begin. A man who incites resistance causes people to resist who otherwise would not resist. Therefore, he causes resistance. I think the word "incite" is synonymous with "cause." A man who by a disloyal and traitorous harangue incites a crowd to resistance to duly constituted Federal or State authority causes them to resist.

The word "inflame," as I understand, means to increase, to augment something which is already in existence. It means, where there is already resistance or a disposition to resist, to "inflame," to increase that tendency; to increase that which already exists.

Mr. BORAH. Mr. President, may I interrupt the Senator from Montana?

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

Mr. MYERS. With pleasure.

Mr. BORAH. I think the distinction which the Senator from Montana makes is probably a correct one, but I doubt if in the practical operation of the bill, should it become a law, the court and the jury would make any such distinction.

Mr. MYERS. As I have said, to "incite resistance" means to cause it where it did not before exist; to "inflame resistance" is where there is already resistance, to increase it; to cause people to resist all the more; to encourage them to continue or to increase their resistance.

Mr. ASHURST. Mr. President——

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

Mr. MYERS. With pleasure.

Mr. ASHURST. Then, why not substitute the word "encourage" in lieu of the word "inflame"?

Mr. MYERS. Well, "encourage" might serve the same purpose; but why not leave the word "inflame"? What is the matter with "inflame"? I think "inflame" is just as good a word as either of the others.

Mr. ASHURST. "Encourage" is a word that has had a judicial interpretation in very many cases; but "inflame" has not had a judicial interpretation.

Mr. MYERS. I heard that objection urged yesterday; but let the courts begin to give the word "inflame" a judicial interpretation as soon as this bill is enacted. The mere fact that the word never has had judicial interpretation or has not had a settled and stable judicial interpretation is no reason why it should not receive one. The definition of "inflame" is given in the Standard Dictionary as follows:

To make larger; to aggravate; to augment.

That is what the word means—to increase that which already exists. It seems to me that it is wise to have a provision forbidding action or language which would incite resistance, and also forbidding action or language which would increase it if there were already resistance. I do not believe that the word "inflame" there will do any harm; but if Senators can suggest any synonymous word which would better express the idea I would be willing to have them do so.

There is, I believe, a motion pending to strike out the word "calculated," in line 24, page 2 of the bill, and to substitute therefor the word "intended," where the bill forbids—

any language calculated to bring the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States into contempt, scorn, contumely, or disrepute.

Some of the Senators who spoke on the bill yesterday objected very much to the word "calculated," on the ground that it did not have a well-settled judicial meaning or definite judicial interpretation. I think that word serves the purpose which it was intended to serve. In the forepart of the amendment it is provided—

and whoever, when the United States is at war, shall utter, print, write, or publish any disloyal, profane, scurrilous, contemptuous, or abusive language about the form of government of the United States, or the Constitution of the United States, or the soldiers or sailors of the United States, or the flag of the United States, or the uniform of the Army or Navy of the United States—

And then follows the blanket provision—

or any language calculated to bring the form of Government of the United States * * * into contempt, scorn, contumely, or disrepute.

I think the word "calculated" is the proper word to use there. It means that if a man uses any language the reasonable and probable result of which is to bring the form of government, the Constitution of the United States, and so forth, into disrepute he is guilty. "Calculated" there means "reasonable, natural, and probable result." Any human being of ordinary intelligence knows what kind of language is calculated to bring the form of government and the Constitution of the United States into disrepute. Nobody is so ignorant as not to know.

Anybody knows that a profane denunciation of our form of government or of our Constitution, or saying that our form of government is not as good as the German form of government—which remark I have read in the newspapers of late, and it has been uttered on a number of occasions and has created much disturbance in different parts of the country—anybody knows that such language as that is calculated to bring the Government of the United States into disrepute. It is impossible to enumerate every kind of language that would bring the Government of the United States into disrepute. The words "disloyal, profane, scurrilous, contemptuous, or abusive" do not necessarily cover every form of language that would tend to bring the Government of the United States into disrepute. So the clause of that sentence, "any language calculated to bring the form of government of the United States * * * into * * * disrepute" is added to cover anything that might occur which is not especially defined in preceding clauses of the bill.

Suppose a man should say that the Government of Germany is a better government than the Government of this country, or employ any of many other such expressions, it might be hard to find any adjective enumerated in the beginning of the committee amendment which would cover it; and I think it is wise to have a provision of that kind so as to see that any language calculated to bring the form of government of the United States into disrepute is adequately punished.

"Calculated" is defined in the Standard Dictionary as meaning—

Suited, proper, fit, tending—

Tending to bring the form of government of the United States or the Constitution of the United States into disrepute. I think, if a man utters language in this country that is calculated in the mind of any ordinary human being of average intelligence to bring this Government into disrepute, he ought to be held responsible for it and ought to be punished for it.

My objection to changing the word "calculated" to the word "intended" is this: If the change were made, it would read:

Or any language intended to bring the form of government of the United States or the Constitution of the United States * * * into contempt, scorn, contumely, or disrepute.

If we should employ the word "intended" there, then some highly technical Federal judge somewhere in the country doubtless will be instructing juries that it must not only be proven beyond and to the exclusion of all reasonable doubt that the defendant uttered the language charged, but it must also, in addition, be proven beyond and to the exclusion of all reasonable doubt that he intended by such language to bring the form of government of the United States, or the Constitution of the United States, into disrepute, scorn, contumely, or contempt. The defendant will go on the witness stand and say: "I had no such intention." He is the only human being on earth who knew what his intention was—only he and the Almighty know what was in his mind and what was his intention—and if he denies it, if he says that such was not his intention, you will, I fear, often find at least one of the 12 jurors stoutly insisting that he has a reasonable doubt as to whether or not the defendant intended to bring the form of government or the Constitution of the United States into disrepute; and you will have a hung jury and a mistrial. If jurors were confronted with such instructions and a defendant declared that he did not intend to bring our form of government or our Constitution into disrepute, I

fear we would find that clause of this proposed law very hard of enforcement; I fear that in many cases it would signally fail of its object; it would make it, I feel, in some jurisdictions of the United States almost impossible to convict a defendant of violating that clause of the proposed law. I do not believe in rendering this bill next to impossible of enforcement; I believe that it ought to be so worded as to facilitate its enforcement in the spirit in which it is intended, in order to accomplish the object for which it is designed.

I believe those are the only two amendments that were suggested yesterday that I care to comment upon now, save the pending amendment to the committee amendment, of which I will say a few words.

The pending amendment is the amendment offered by the Senator from Colorado [Mr. THOMAS] to insert the word "willfully" in a number of places in the bill; but I think that is wholly unnecessary and would be only confusing and loading the bill down with unnecessary verbiage. The statutes of many States describe misdemeanors without the use of the word "willfully"; they merely say that if a man shall do so-and-so—a certain prohibited act—he is guilty. Many misdemeanor statutes do not employ the word "willfully"; and this is such a plain inhibition, the character of language that is forbidden is so plainly described, that I do not see the use of putting in the word "willfully." A man can not utter words without intending to do so.

Now, Mr. President, a few words on the general nature of the bill. I believe it is a most important bill. Men are going about in this country saying that the Government of Germany is a better Government than the Government of this country, saying that the Constitution was made by men who intended to keep the people down, to oppress the people; and some are even now expressing the hope that the Germans will win this war, that they will win great successes at arms, and that there will be more and ever-increasing victorious drives by the German Army. There seems to be doubt as to whether or not there is sufficient law on the statute books for the punishment of such utterances of disloyal and traitorous people in this country, and the object of this bill, as I understand, is to remove all such doubts and administer proper punishment, drastic punishment, to that class of creatures who are carrying on their insidious, loathsome, poisonous, disloyal, and traitorous work in this country.

The principal object of this bill, or one of its principal objects, I believe, is to prevent mob law. The Senator from Tennessee [Mr. SHIELDS] said yesterday he did not believe so much attention should be paid to that feature of it as had been bestowed by the remarks of some of the Senators in the debate yesterday; but I believe that is one of the highly important objects of the amendment, or rather that it would be a highly beneficial result of its enactment.

When I introduced the bill last August, which had the same object as this bill and contained much of the same language, I did it on account of a lynching that had occurred in Montana just a short time before. The lynching occurred late in July or early in August, and I introduced my bill on the 15th day of August.

A man named Little was lynched in Butte, Mont. It was reported that he referred to the United States soldiers as "Uncle Sam's scabs in uniform," and said that this Government would not be able to send any troops to Europe to fight, because the I. W. W.'s would keep all our troops busy in this country, and many like things. There was no effort by officers of the law to punish him; it was claimed that there was no law to punish him; and, as a result, one morning he was hung by a mob. Having that in mind and fearing a repetition of such occurrences unless we had more and better law to suppress, prevent, and punish such utterances, I introduced a bill on the subject; and I apprehend that the object of the committee's amendment to the pending bill is the same. There is going to be more of mob law and lawlessness and lynching in this country unless we speedily enact a measure of this kind.

Night before last there occurred a lynching in Collinsville, Ill. I noticed in last evening's papers that a man who was charged with disloyal utterances was lynched there; and I read in the Evening Star, of Washington, last evening, after the account of the lynching, this statement, coming from the Department of Justice:

> Until the Federal Government is given power to punish persons making disloyal utterances, Department of Justice officials fear more lynchings, such as that at Collinsville, Ill., last night. This was the first report reaching here of such extreme mob violence to a German, although officials who have observed the general feeling against Germans have feared such occurrences.
>
> The Government has no authority to take action against the lynchers. Officials of the department deplored the act and expressed the hope that State or local authorities would speedily punish the lynchers.
>
> At the same time it was pointed out that as soon as Congress passes the pending bill making it a Federal offense to speak or write obviously disloyal criticism of the United States in war the Government can punish these acts and reduce the danger of mob action.

That appeal of the Department of Justice to Congress should not go unheeded. It should be responded to speedily by the enactment of the pending bill, as amended by the Judiciary Committee. Now is the time for action!

In the Washington Evening Times of last evening I read some pertinent comment on the nature and object of the pending bill, and conditions which it is intended to overcome, which I indorse and which I will here read:

> Different sections of the country are reacting differently to the German propagandist, but the bitterest kind of a feeling is being gradually bred by such things as the discovery of poison and glass in bread. Just as happened in England after every German drive, the Germans who were indiscreet in showing their exultation over the Teutonic advance have recently been handled rather roughly in Western States.
>
> It is precisely because Congress has failed to empower the Department of Justice to deal at its discretion with cases of disloyalty or seditious activities of German residents that officials really fear the situation may get out of hand in some parts of the country. When there is no law, people are tempted in times like these to make law on the spot.
>
> The Department of Justice, however, has been severely criticized of late for not doing away with more Germans. Absence of authority has been one handicap and the laxity of some Federal judges in disposing of cases brought before them by the department has been another.
>
> Behind the explicit powers granted to the department by Congress must exist always a public opinion that will indicate to Federal judges that they, too, in time of war must consider the possible menace to the country of letting aliens loose or inflicting insignificant penalties on Germans who openly take issue with the American Government. In one case, when a German addressing a public meeting not only expressed a profane criticism of the President of the United States, but advised all American soldiers to shoot their officers, he was promptly arrested and indicted.
>
> But the Federal judge released him on the ground that no American soldiers actually were present to hear the German's advice. Instances of this sort are behind the Department of Justice's efforts to get laws that will enable them to obtain severe penalties for those engaged in disloyal utterances, particularly those of German sympathy who go about advising against the purchase of Liberty bonds and thrift stamps.
>
> Unquestionably Senator HIRAM JOHNSON is right in saying that under some of the proposed legislation people engaged in legitimate criticism of the administration can be punished and freedom of speech interfered with. But if the administration wanted to interfere with that institution it was given sufficient power under the original espionage act to bar newspapers and magazines and otherwise embarrass critics, but no such abuse of authority has occurred on a wholesale scale in the past year, and there is little likelihood that it will in the future.
>
> It looks as if the Senate were going to be technical again and try to draw legislation so explicitly that the German propagandist and spy will be just as able to detect the loopholes as American citizens who do not agree politically with the administration.
>
> If the administration had abused its power in the last year and had shown a disregard of public opinion in handling those who are engaged in criticizing the acts of the Government, there would now be every excuse for hesitation. But the question to-day is whether the Senate is going to have faith in the Department of Justice and the executive branch of the Government in dealing with the ticklish question of disloyal utterances or whether it is going to hamper and restrain the efforts which would otherwise be made to stamp out disloyalty and enable the Government to float the liberty loan without opposition from the insidious German propagandist.
>
> Public opinion has always been able to apply its remedies whenever any flagrant case of abused authority occurred, and the courts and the people will always be able, as heretofore, to recognize purely American criticism of war policies and that which springs from foreign sympathizers. Also the Department of Justice and other branches of the Government will be obliged to offer to the Federal courts in prosecuting the cases contributory circumstances to show the sympathy of the offender with the cause of Germany.
>
> Power is not being asked to punish anyone who disagrees with the policies of the Government, but those who are obviously engaged in a propaganda to spread their own criticism with intent to hinder and embarrass the war machinery of America in the most critical moments of its life.

I say there is great need for this legislation, Mr. President, and I hope it may be speedily enacted; and I hope it may be enacted so strongly and so effectively and with such far-reaching provisions and with such drastic punishment that it will completely suppress the hydra-headed monster of treason and disloyalty in this country, which is rearing its head very extensively and most ominously, to the alarm not only of the Government officials but of many of the good people of this country, and is actually causing lawlessness, causing the people to take the law into their own hands, and which will cause more lawlessness if it is not prevented by wholesome legislation.

Mr. SHIELDS. Mr. President——

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

Mr. MYERS. I yield, with pleasure.

Mr. SHIELDS. The Senator from Montana has referred to a colloquy that occurred between the Senator from Massachusetts [Mr. LODGE] and myself in regard to mob law. The substance of my observation was that this bill was not for the purpose of protecting these German spies and emissaries from mob law, but for the purpose of punishing them for crimes they are committing against the United States and its people. It may have the effect, by meting out dire punishment to them, of obviating

the necessity of mob law, and, I think, it will have that effect, but that is not the reason for enacting it.

The argument that it will prevent the resort to lynch law is not required to sustain it. The object of it is to punish these men who are now lurking in every city and infesting every rural community of this country, blowing up our mills, interfering with the manufacture of munitions, the production of supplies for the maintenance of our armies and the support of our allies, and sowing the seeds of murder, sedition, and treason.

The several States have ample laws to punish lynching, mob violence, and riots of all kind. We need not legislate for that purpose. We have no power to legislate for that purpose. That is a police matter of which the States have exclusive jurisdiction, except where it interferes with some Federal function.

We can punish and suppress the wrongs to the Federal Government and our Army and Navy these alien enemies and their cowardly allies are perpetrating, and it is our duty to do it without further delay. We have been too lenient with them. They must be given to understand that no further disloyal conduct will be tolerated. The punishment should be certain, speedy, and severe. This is a most wholesome bill, and I shall vote for it for the purposes I have stated.

Mr. MYERS. Mr. President, I certainly had no intention of in any way misrepresenting the Senator from Tennessee. I think I understand his attitude perfectly, and I am in very hearty substantial accord with him.

Mr. SHIELDS. I did not understand that the Senator was reflecting on me. I knew that he would not do so. What I said was not with a view of correcting anything of that kind.

Mr. MYERS. I am always glad to have the Senator's views upon any occasion. I know that he is for this bill. I understand that he was for it in the committee. I understand that the committee was unanimously for it and that it was reported without a dissenting vote of those Members present, and the Senator has given some very strong reasons for the speedy enactment of the measure. I believe, though, that one very great and beneficial result of the enactment of the bill would be to stop outbreaks of lawlessness and to cause the law to be administered in a proper way, a legal way, and to save the people of this country the necessity of taking the law into their own hands, as I am sure they will continue to do unless we give them such a law as this bill.

I do not believe for a minute the people of this country will tolerate disloyalty and treason, and if Congress does not afford the remedy they will take the remedy into their own hands. I think one of the most desirable objects of the bill is to relieve the people of that necessity, and punish in the proper way disloyalty and treason, and while we are at it I believe in making the bill good and strong, all-powerful and far-reaching, without throwing any unnecessary obstacles in the way of its enforcement in the courts, without affording any opportunity for the raising of hairsplitting technicalities that will enable violators of the law to escape the just punishment due them. The people are demanding such a law. Conditions demand it. Necessity demands it. Loyalty to our country demands it. Loyalty to our soldier boys on the firing line demands it. The Department of Justice requests it. Let us give it to them and not be squeamish or timorous about it.

AVIATION STATION NEAR MIAMI, FLA.

Mr. ROBINSON. Mr. President, under date of March 27 a statement was sent out from the city of Washington and published in an Indianapolis paper; I think it was the Indianapolis Sun. I desire to call the attention of the Senator from Indiana [Mr. NEW] to this statement and to express the hope that the Senator from Indiana will, at his earliest opportunity, make an investigation of the matter referred to in the statement which I am now about to make, and, if the circumstances in his judgment justify, make a correction concerning it.

The statement to which I refer is as follows——

Mr. SMOOT. Mr. President——

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

Mr. ROBINSON. I do.

Mr. SMOOT. I believe that the Senator from Indiana is now at a meeting of the Committee on Military Affairs; and if the Senator really wants an answer to-day to the subject matter which he is about to present, I think we ought to have time for the Senator from Indiana to be here.

Mr. ROBINSON. The Senator knows that if I had desired to suggest the absence of a quorum, I could have done that myself. I should like to make the statement, and, as I have already indicated, the Senator from Indiana can then, after he has read the statement, if he does not find it convenient to appear in the Chamber, take such action as he desires to take concerning the matter.

Mr. SMOOT. The only reason why I interrupted the Senator was that, if he desired it, I myself would have suggested the absence of a quorum.

Mr. ROBINSON. The Senator can not, unless I yield for that purpose, suggest the absence of a quorum; and I do not desire to have that done, because I doubt whether a quorum can be procured at this time. I do not wish to force an adjournment of the Senate; so I decline to yield to the Senator from Utah for the purpose of suggesting the absence of a quorum.

Mr. SMOOT. I have no intention of doing so——

Mr. ROBINSON. The Senator from Utah can send in to the Committee on Military Affairs and procure the attendance of the Senator from Indiana in a moment or two, if he desires.

Mr. SMOOT. I will say to the Senator that that has already been done.

Mr. ROBINSON. Very well.

Mr. SMOOT. I had no intention of asking for a quorum if it was disagreeable to the Senator from Arkansas.

Mr. ROBINSON. I decline to yield for that purpose. I think I have made that plain to the Senator from Utah. I realize that a quorum can not be had at this time, and I do not wish to force an adjournment of the Senate, as I have already stated. If the Senator desires, I will wait until the Senator from Indiana has arrived in the Chamber.

Mr. President, the statement to which I was about to refer is as follows:

SENATE TAKES IT UP—ALLEGED AVIATION GRAFT CASE GOES UNDER MICROSCOPE.

WASHINGTON, *March 27, 1918.*

Investigation of alleged graft in the building of an aviation field at Miami, Fla., was undertaken by the Military Committee of the Senate to-day at the instance of Senator NEW, of Indiana.

Letters received by Senator NEW from Carl G. Fisher, of Indianapolis, and Miami substantiate reports which Senator NEW had received from Miami to the effect that the aviation department is engaged in converting a swamp and mud flat of Biscayne Bay into an aviation field.

Thousands of yards of filling is being used, it is said, to reclaim the land, and contractors are working knee deep in mud to build airplane hangars for the eventual use of aviation students. It will be at least a year or possibly longer before the field can be made fit for use, it is said, and the cost will approximate something like $300,000.

In the meantime, Fisher had offered the aviation department the use of a tract of 63 acres on Biscayne Bay at $1 a year. The site offered is 5 feet above high-tide level and is entirely dry. The offer was refused for some unknown reason.

The reasons why I have asked the attention of the Senator from Indiana to this statement are: First, the statement is erroneous, as I shall attempt to show; second, the implication in the statement is that it originated with, or was authorized by, the Senator from Indiana. I have no knowledge concerning the origin of the news item except what is derived from the newspaper report itself.

Mr. President, there is no Army aviation field at Miami, Fla. I have heard that there is a hydroplane station being located there by the Navy Department. The Signal Corps and the Aviation Section of the Army have nothing whatever to do with the location of any sites or with any building operations carried on by the hydroplane division of the Navy. It is therefore manifest that the statement contained in the newspaper report which I read and which refers to information furnished by the Senator from Indiana is an unfair and unfounded reflection on the Aviation Section of the Signal Corps. As to whether the site which is being used for the establishment of a hydroplane station is an improper one and as to whether its selection was brought about through graft I have no knowledge whatever, and am, therefore, not prepared to make any statement.

Mr. FLETCHER. Mr. President, will the Senator allow me to interrupt him?

Mr. ROBINSON. I yield to the Senator from Florida.

Mr. FLETCHER. When the Senator from Indiana laid before the Committee on Military Affairs the two letters received by him there was at once made known precisely what the Senator from Arkansas has stated—that the aviation section of the Signal Corps had no field at all engaged in that locality and had established no plant there and no site for an aviation station. All in the world they had done was to send officers down there to make an investigation; and therefore the statement, as far as it meant to say that an aviation site for the Army had been improperly chosen or in any other wise chosen in that vicinity, was wholly without any truth. There was no selection made; there was no contract made, no field, no anything with reference to the aviation section of the Signal Corps, except that certaing officers had been sent down there to make an investigation regarding certain sites that had been offered to them.

With reference to the aviation station for the Navy which is located at Dinner Key, about 8 or 10 miles south of Miami, and opposite Cocoanut Grove, that site and that location have the absolute approval of the Navy Department and of all the officers

connected with it. The buildings have been all erected, except some additional ones which were directed to be built by the department after the first buildings had been constructed. Only three hangars are now needing completion, and these were added to the original buildings; and they would not have been added, of course, if it had been found that the site was improper or that there was anything irregular about the selection of it.

The station is an ideal one. The plant is a splendid one. The contractors are thoroughly responsible and have practically completed their work. There is not the slightest foundation for the statements made in these letters that were offered to the Committee on Military Affairs and referred to in this newspaper article. The Senator from Indiana recognized at once that that committee had nothing at all to do with the subject, and that the Army had nothing to do with it; but I am speaking now with reference to the Navy aviation station. It is perfectly satisfactory to all the officers, to everybody concerned. There has been no graft since the Government pays nothing for the use of the land. It has an option to purchase the land, and by filling from the bay it has enhanced the value of its own property if it exercises the option. There has been no complaint by the Navy Department or officials at all.

My information is these two men, Mr. Carl Fischer and a Mr. Gage, who wrote these letters, it appears, called at that plant and wanted to inspect it.

The officer in charge asked if they had passes. They said no, they did not have passes. They insisted, in substance, that they were American citizens, that this was public property, and that they thought they ought to have the right to inspect it. The officers said, "We can not permit that without proper authorization"; and thereupon a disturbance arose and they had to be put off the grounds.

That is the fact with reference to what brought about, I think, those communications. At least those are the facts that have been reported to me. When these letters were offered before the Committee on Military Affairs I immediately telegraphed down there to find out the facts in regard to the naval station, although that committee had nothing to do with it. I received replies by wire, which I afterwards submitted to the committee, and which appear in the hearings before the Committee on Military Affairs, giving the facts with reference to the matter.

It is true that a portion of that site at Dinner Key was somewhat low. They wanted it on the water. As stated, that is a Navy station, and they use hydroplanes and they have to come down in the water. They do not want it on high ground, and they want it to be fronting on the water. It has extensive frontage. The department concluded to raise the ground somewhat, and as the most feasible way to do that and accomplish the two results at the same time—deepening the bay and filling in the ground—they used a dredge to pump from the bay the sand onto this ground, and therefore raise it, or some portion of it, to some extent, according to their plan. It was a perfectly feasible and proper way to do, and a great many very handsome homes are built upon similar ground all along that bay for 8 or 10 miles up and down the coast about Miami. Mr. Fischer himself owns a vast amount of property that has been made in the same way, by pumping sand from the bay onto the land, and it has since been improved and magnificent residences and homes are built upon that sort of property.

So that there is no foundation whatever for these statements; and the newspaper article is grossly unjust to the Navy station, as well as to the Signal Corps and to the people in that vicinity and to the whole subject.

Mr. ROBINSON. Mr. President, I observe that since I began this statement the Senator from Indiana [Mr. NEW] has entered the Chamber. I will state that I have already read into the RECORD a newspaper statement purporting to have been sent out from Washington under date of March 27, alleging that information submitted to the Senator from Indiana [Mr. NEW] has disclosed graft in connection with the location of an aviation field at or near Miami, Fla. The remarks of the Senator from Florida [Mr. FLETCHER] confirm the statement which I have already made that there is no Army aviation field there, and that therefore a gross injustice has been done the Aviation Section of the Signal Corps in the newspaper report to which I have referred. The Senator from Florida has also stated that the hydroplane station which is located at the point mentioned was properly located there, and that the objections which have been made to the location are unfounded.

Mr. NEW. Mr. President——

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

Mr. ROBINSON. Just a moment.

Mr. President, it is unfortunate for the public service that statements of this character are circulated in the press. It is of course always right, when graft occurs in connection with the public service, to expose it, in order that such transactions may be prevented in the future, but this is a time when statements of this kind should not be made unless they are well founded.

I now yield to the Senator from Indiana.

Mr. NEW. Mr. President, with reference to the matter to which the Senator from Arkansas alludes, I would say that several days ago a letter came to me written by a gentleman whose intention I am sure was perfectly straightforward and honest, in which he conveyed the impression that a great deal of money was being injudiciously and unnecessarily spent on an aviation site in the neighborhood of Miami, Fla. I wrote to a friend at Miami, who was in a position to either corroborate those alleged facts or refute them, and my answer from that gentleman was rather indefinite and inconclusive.

I undertook, merely for the purpose of ascertaining whether or not the statement was true, to make some inquiries at the aviation section. I showed the letter that I received to the Senator from Florida [Mr. FLETCHER], and I did ask some questions at the Aviation Department. There I learned that the site was not being built by the Aviation Department of the Army at all; that it was something that was being done by the Navy. I therefore turned the letter over to a member of the Committee on Naval Affairs, Senator HARDING. Afterwards Senator FLETCHER made an explanation to me of what was going on.

Afterwards another Miami friend whom I have long known, he formerly having been a resident of Indiana—I refer to Mr. Frank B. Shutts—made a statement to me of what was going on or what had been done and the reason for it. I had a letter from the Navy Department also explaining it, and I am entirely satisfied that what is being done there is being done with good reason for it. I have never said anywhere or to anyone that a dollar was being spent injudiciously. I never made any charge to the press or any intimation of the kind in connection with it. I merely made an inquiry following the receipt of a letter from a very reputable and responsible gentleman, who, as I said, I am sure thought he was bringing to the attention of somebody connected with the Government what he thought was an abuse. I am satisfied that the gentleman was mistaken. I never have made any statement to any newspaper man except to a correspondent of a Miami paper who came to me in the lobby here. He said he understood I had some letters. I said, "Yes; I have them; I do not know anything about this matter; I am making no charges," and I turned them over to him.

I am perfectly willing to say my present impression is that money is not being injudiciously spent in that case, and I have never made any charge or intimation that anything of the sort was being done.

Mr. ROBINSON. Mr. President, when I rose I merely knew that there was no aviation site or field at Miami, Fla., and I was not informed as to the facts relating to the hydroplane station there, as disclosed by the Senator from Florida and as confirmed by the statement of the Senator from Indiana. I am very glad to have the matter corrected. It is unfortunate that unfair and unfounded reflections should be made in the press of the country upon the military service. We are passing through a very great crisis now, and the confidence of the public in the integrity of the men who are controlling the military forces of the Nation should not be unfairly diminished or weakened. We ought to support, wherever we can do so conscientiously and consistently, the efforts of the military authorities to carry forward the mandates of Congress for the development of the various branches of the military service, so essential to win the war in which we are engaged.

Mr. McKELLAR obtained the floor.

Mr. FLETCHER. Will the Senator allow me, in this connection, to put in the RECORD a few words?

Mr. McKELLAR. Certainly.

Mr. FLETCHER. Of course I had nothing to do with bringing this subject up, either before the Committee on Military Affairs or here, but in view of the insertion in the RECORD of the newspaper clippings I feel that the facts ought to be made to appear a little more fully than I stated them and my authority given for stating them.

In just a minute, I should like to say that on the 29th of November last I was in Miami. Mr. T. J. Peters took me to this aviation station at Dinner Key. It was under process of being constructed. Some of the buildings were under way. The dredge was laying out in front of the grounds, in the bay, and some pumping was to be done to deepen the water and raise the

elevation of the site. There is a stretch of 4 or 5 miles of open waterway clear out to the Atlantic Ocean. It is an ideal place, and the air and the conditions are simply superb for aviation whether on land or on sea. The climate could not be excelled anywhere in the world. There is no foundation whatever for this sort of criticism, even if it was an Army station, for that matter.

The Senator from Indiana never showed me these letters until he appeared before the Committee on Military Affairs, and I knew nothing about it until they were offered there. So I had no opportunity to furnish him any data to the contrary or to clear up or to make any refutation of the statements in the letters until they were furnished to the committee in the hearing. Then I immediately wired Mr. Peters to give me the facts about the situation, and he also took it up with the contractors, and I have their telegrams here. They are not very long, and I should like to have the telegrams inserted in the RECORD and a recent letter, received to-day from Mr. Peters, also on the same subject, which is very brief, giving the facts as regards the lands in that vicinity, and showing that because some of it had to be filled by pumping from the bay is no evidence at all that it is an undesirable site. I would just like to have these papers inserted in the RECORD.

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

PETERS, FLA., *March 28, 1918.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.:

Your wire came yesterday. Recently Carl Fisher and George F. Gates came together to Dinner Key Aviation Camp and made request that they be allowed to inspect the grounds and buildings. Not being able to furnish satisfactory explanation as to why they should make such inspection, the request was refused. They used abusive language and were ejected from the premises. The buildings are occupied and grounds carefully guarded. This, I think, accounts for their letters of misrepresentation read by Senator NEW before the Military Affairs Committee yesterday.

THOS. J. PETERS.

—

PETERS, FLA., *March 28, 1918.*

Senator D. U. FLETCHER,
Senate Office Building, Washington, D. C.:

Referring to your wire to Thomas J. Peters, we wish to thank you for the interest in us which you are taking. Letters read before Military Affairs Committee are not in accordance with facts, and we would be very glad if the committee would request a report upon our responsibility and work from the Bureau of Yards and Docks. All buildings occupied or ready for occupation except three hangars recently added. These will be ready within two weeks. Regret that department does not permit us to have photographs taken.

WARD & PRIDE.

—

MIAMI, FLA., *March 28, 1918.*

Senator DUNCAN U. FLETCHER,
Washington, D. C.:

We note comments on Dinner Key aviation station by some disgruntled landowner. This station located on merits of the available deep water in front, which was required by Navy officials. The land was donated for the use of the Government. The fill that was necessary to make is made of sand and shell mixture. It was expensive to dredge, as the Navy specified where water should be made deeper, on account of accommodating their boats. Everyone at the Dinner Key station is well and happy, and it is considered the ideal naval air station.

S. G. SWELL,
President Miami Chamber of Commerce.

—

PETERS, FLA., *March 28, 1918.*

Hon. D. U. FLETCHER,
United States Senate, Washington, D. C.:

Dinner Key site most appropriate location in this part of the State. Filling in gives ample elevation and drainage. Soil sand on top. Construction work highly praised by officials in charge. Contractors absolutely reliable and have met every requirement for efficiency, capacity, and financially responsible. Building and material used thoroughly satisfactory. Every effort consistent with good business management has been made to protect the Government's interest with regard to cost. Proposed site at Sandpoint practically the same as Dinner Key was in the beginning. Will wire you again.

THOS. J. PETERS.

—

PETERS, FLA., *April 1, 1918.*

Hon. DUNCAN U. FLETCHER,
United States Senate, Washington, D. C.

DEAR SENATOR: Referring further to letters from Carl G. Fisher and George F. Gates, read before the Military Committee by Senator NEW on the 27th, stating that Dinner Key aviation site was a marsh, contractors irresponsible, and work unsatisfactory.

I beg to inclose herewith a list of wealthy resident owners of the city of Miami, who have their homes located on land which was made by pumping soil out of the bottom of Biscayne Bay, the same as the Dinner Key aviation camp site was made. If such land was objectionable it is hardly probable that this list of wealthy resident owners would have built their homes on it.

I regret the officer in charge at Dinner Key camp will not permit photographs to be made of the grounds and buildings, as the buildings are all finished in good shape and occupied, except the three last large hangar buildings, all of which will be completed inside of the time, April 15.

Yours, truly, THOS. J. PETERS.

This is a partial list of people who live on land that has been filled or raised by pumping the sand from the bottom of the bay onto the same, just as it has been done at Dinner Key:

Robert Henkel, of Detroit, Mich. (millionaire flour manufacturer), cost of home estimated at $50,000.

Mr. Gray (wealthy winter tourist), cost of home at Belle Isle, $25,000.

Mr. Mulford (weathy winter tourist), cost of home on Belle Isle, $25,000.

Mr. McCutcheon (wealthy winter tourist), cost of home on Belle Isle, $25,000.

The Belle Isle fill was made by Mr. Carl G. Fisher, of Indianapolis, Ind., who sold these tracts of land to the parties mentioned.

Mr. James Deering's palatial million-dollar home was built largely on filled land and practically all of his grounds fronting on Biscayne Bay were at one time a swamp, the same as at Dinner Key.

Mr. Arthur Curtis James, of Phelps, Dodge & Co. His home while built on high land, the front part of the place for about 1,000 feet is all filled land.

Mr. W. J. Matheson, of the Corn Products Refining Co. His home in Point View subdivision is all filled land, being at one time the bottom of Biscayne Bay.

Mr. L. T. Highleyman, president of the Fidelity Bank & Trust Co., recently sold his home in Point View for $60,000.

Mr. E. C. McGraw, president of the McGraw Tire & Rubber Co., of Palestine, Ohio, has a home there which cost between $50,000 and $75,000.

Mr. J. P. Logan has a similar home.

In fact, Point View has a great many residences costing from $5,000 to $20,000.

In Miramar, another high-class residential subdivision, which is practically all filled land:

Mr. E. C. Hinnmann, of Battle Creek, Mich., owns a home in Miramar.

Mr. Van Camp, of Indianapolis, Ind., and Mr. W. P. Adams, of Chicago, and a number of others, including Mr. E. C. Romfh, president of the First National Bank, have homes costing from $5,000 to $20,000.

PROOF IN CASE OF DEATH OF SOLDIERS.

Mr. WILLIAMS. I ask the Senator from North Carolina to yield to me for just a moment to submit a report upon a bill from the Finance Committee and to ask unanimous consent for its immediate consideration.

Mr. OVERMAN. I yield for that purpose.

Mr. WILLIAMS. I will state, Mr. President, that the only object of the bill is to dispense with the usual requirements of proof of death in the case of soldiers who are insured by the United States Government. It provides that the report from the War Department, that is, the certificate of the Adjutant General to the effect that they have been killed in action, shall be sufficient to prove the death.

I report from the Committee on Finance favorably without amendment the bill (S. 3475) to prescribe a requisite form of proof of death under policies or contracts of insurance covering the lives of persons in or serving with or attached to the military forces of the United States, and for other purposes, and I submit a report (No. 361) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That in all cases arising under policies or contracts of insurance covering the lives of members of the military or naval forces of the United States or the lives of persons serving with or attached to such forces, proof of death of insured shall be deemed to be complete, either in an action in any court of the United States or of the States and Territories thereof, or in any formal proof of death required in any policy or contract to be presented to the insurer by or on behalf of the beneficiary, when there shall be presented in such court or to such insurer a certificate of death executed by The Adjutant General of the Army of the United States setting forth the following facts:

First, name of deceased; second, rank or designation of the deceased; third, name of organization of which deceased was a member, or with which he was serving or to which he was attached; fourth, that deceased has been officially reported as having been killed in action or as having died from other causes or has been officially reported missing, and that after full inquiry no information has been obtained which would indicate that he is not dead and that it has, therefore, been presumed for official purposes that he died on or since the date he was thus missed; fifth, the date on which the deceased was officially reported to have been killed or to have died from other causes or to have been missing; and sixth, the name and address of next of kin as given by deceased upon entering the service.

SEC. 2. That in all cases where the insurer, upon proof of death made as in section 1 hereof provided, shall voluntarily pay to the beneficiary the amount due under the policy or contract of insurance, and it shall subsequently be established that the insured is alive, and the beneficiary shall, on demand made therefor, refuse or fail to refund to the insurer the amount of the payment so made, then there shall be paid to the insurer, out of any money in the Treasury not otherwise appropriated, the amount by which the payment so made to the said beneficiary shall exceed the actuarial reserve maintained by the insurer in respect to such policy or contract of insurance at the date on which the said payment is made: *Provided*, That as a condition precedent to the payment by the United States of the amount aforesaid to said insurer, said insurer shall assign to the United States all its claim and right of action against said beneficiary for a refund and repayment of the amount paid as aforesaid to such beneficiary.

SEC. 3. That The Adjutant General of the Army be, and he hereby is, directed upon request from any person claiming to be a beneficiary under a contract or policy of insurance mentioned in section 1 of this act to furnish to such beneficiary the certificate of death provided for in section 1 of this act in all cases where the records of his office disclose that the person alleged to have been thus insured is dead or is presumed for official purposes to be dead.

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

PUNISHMENT OF SEDITIOUS ACTS AND UTTERANCES.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8753) to amend section 3, title 1, of the act entitled "An act to punish acts of interference with the foreign relations, the neutrality, and the foreign commerce of the United States, to punish espionage, and better to enforce the criminal laws of the United States, and for other purposes," approved June 15, 1917.

Mr. McKELLAR. Mr. President, the bill before the Senate is a bill to punish disloyalty. I am going to violate what seems to be the regular order to-day by taking a very few moments in a discussion of this bill. Senators may be shocked at this statement, but nevertheless I am going to talk about the bill itself for just a very few moments.

I am in very hearty sympathy with the purposes of this bill. The object and purpose of it is to punish the disloyal in our country at this time. Surely this is a high and worthy purpose. Surely it is a purpose in which we can all agree. For myself I had no idea until the recent election in Wisconsin that there were so many disloyal people in this country. If my opinion had been asked before that election I would have said that I did not believe there were 100,000 disloyal men in the whole United States, much less in any one State. When we think of this expression of disloyalty in our country it is high time that we were taking steps to stamp it out.

This bill will certainly go a long way toward stamping it out. If we can not reason with men to be loyal it is high time we forced them to be loyal. A man who has no more sense than to think that some other government is greater or better than the American Government, or that some other constitution is greater or better than the American Constitution, ought not to be in this country, and it is a pity we could not deport him instead of putting him in the penitentiary. The man who is so unpatriotic as to be willing to cast aspersions upon our flag, or upon our bonds, or upon the uniform, or against our Army and Navy, or against the Government of the United States, ought to be put in the penitentiary and kept there the balance of his days. So the punishment awarded in this bill seems to be a very reasonable one for the high crime of which a person would be guilty if he violated its provisions.

Mr. President, in Tennessee, I am glad to say, there is no spirit of disloyalty. I know of no one and have heard of no one down there who is not whole-heartedly loyal to the American Government, to the American Constitution, to the flag, to the Army, and to the Navy, and who does not desire the defeat of the Germans in this war. Our people are intensely patriotic. We have few of foreign birth among us, and those of foreign birth and lineage are for America. The people of Tennessee are perhaps as purely American as any in this country. This law will have no terrors for them, but I believe nothing could please them better than its early enactment.

Mr. President, this is a drastic law. It ought to be drastic. But it is only drastic toward the disloyal. Loyal persons have nothing whatever to fear from it. No one can defend disloyalty at such a time as this or at any time. Our Government has a great task before it. Our Army and Navy are fighting our battles. We already have hundreds of thousands of soldiers fighting for our Government, and our Constitution, and our flag in foreign lands. Surely we should not permit anyone back here in our own country to decry against or defame the very institutions which these soldiers and sailors have gone abroad to defend and protect and are offering up their lives to defend and protect. If we permit it we are not upholding and defending our soldiers and sailors. Surely no loyal citizen will object to this law, and I do not think a disloyal person ought even be heard to make a suggestion about it. If any man or woman is disloyal to America in this time of her trouble he or she should get out or be transported out of America and never permitted to return.

Necessarily in passing a bill of this kind, it seems to me we ought to be particular about the wording of it, as was pointed out yesterday by the distinguished Senator from Massachusetts [Mr. LODGE]. Accordingly that is the only thing to which I now wish to call the attention of the Senate. I will ask Senators to take copies of the bill and look first on page 2, in line 4, at the words "military or naval forces." It will be seen from an examination of this clause of the bill that it is made an offense to "interfere with the operation or success of the military or naval forces of the United States." This is absolutely right. In line 22 of the bill, on the same page, where we might naturally expect to see the term "military or naval forces," it is changed into "soldiers or sailors of the United States," and so on the first line of page 3 it will be seen that the term "soldiers or sailors of the United States" is used. The term "military or naval forces" should be used all through the bill.

Manifestly there ought to be a correction there. I imagine it was the purpose of the framers of the bill to make it an offense to abuse the Army or Navy or the military or naval forces, using the terms collectively. It certainly is not intended to make it an offense, for instance, for a private citizen, if he should get into a difficulty with a soldier while the soldier is not engaged in his duties, to use an improper epithet toward the soldier or to abuse him personally. In other words, it is not intended to be personal, but it intends to refer to the Army and Navy collectively. I have therefore offered an amendment, which has been printed, striking out the words "soldiers or sailors," in line 22 of page 2 and in line 1 on page 3, and substituting the words "military or naval forces." I hope the acting chairman of the committee will be willing to agree to that amendment. I will ask him to agree to that amendment, because I know that was manifestly the purpose of the committee in reporting it out.

Mr. OVERMAN and Mr. STERLING addressed the Chair.

The PRESIDING OFFICER. Does the Senator from Tennessee yield; and if so, to whom?

Mr. McKELLAR. I yield to the Senator in charge of the bill first.

Mr. OVERMAN. I do not think it would have the effect the Senator suggests, because it speaks of soldiers and sailors as a class. I do not see that there should be any doubt about it.

Mr. McKELLAR. If the Senator will pardon me, I think the same expression ought to be used all through the section; in other words, inasmuch as the words "military or naval forces" are used as in the first part of this section, the same words should be used in the second and third parts where the subject occurs. There should be uniformity, and if different terms are used it will give rise to the view that a different class of persons or that individuals are intended.

Mr. OVERMAN. Suppose some one would abuse soldiers as a class—the Army or the Navy——

Mr. McKELLAR. That would come in under the head of military or naval forces. I think the words "military or naval forces" are better than the words "Army or Navy."

Mr. OVERMAN. Are they not more restrictive?

Mr. McKELLAR. I think not.

Mr. OVERMAN. A person might abuse the Army and Navy and bring into contempt soldiers and sailors as a class, but whether abusing soldiers or sailors of the United States would be abusing the Army or the Navy is a question I want to think about.

Mr. McKELLAR. The Senator is making a distinction between the expression "soldiers and sailors" and the expression "Army and Navy." My amendment is to substitute the words "military or naval forces," which will have precisely the effect the Senator has in mind. I yield to the Senator from South Dakota.

Mr. STERLING. I think there was some reason for the distinction made in the language of the bill. Where it refers to military or naval forces it refers to any "false reports or false statements with intent to interfere with the operation or success of the military or naval forces." When it refers to soldiers and sailors, in line 22, to which the Senator has called attention, it seems to me it refers more particularly to the soldiers and sailors of the United States as such and not to the Army of the United States or the Navy of the United States, and the language might not interfere with the operation of the military and naval forces of the United States. Epithets against soldiers and sailors are in the same class, for example, as epithets used against the flag or the uniform of soldiers or sailors. It seems to me there is some reason for the distinction.

Mr. McKELLAR. Does the Senator think that the present provision as to soldiers or sailors was intended to apply to individual soldiers or sailors? For instance, if a civilian stated any thing disrespectful about any particular soldier as a man, and not referring to the Army or Navy at all in connection therewith, would he violate the act?

Mr. STERLING. A reference in an abusive or contemptuous way to discourage the soldiers——

Mr. McKELLAR. That would come entirely under "military or naval forces."

Mr. STERLING. I hardly think it would. I think there is some distinction made there. One is intereference with military operations and the other will not interfere with military operations and yet something that ought not to be borne by people interested in the maintenance of the soldiers who go to make up our Army or Navy.

Mr. GORE. Mr. President——

Mr. McKELLAR. I yield to the Senator from Oklahoma.

Mr. GORE. I desire to ask the Senator from South Dakota if he thinks the words "soldiers or sailors" as used in the bill refer to soldiers taken collectively and in the aggregate?

Mr. STERLING. I think not. I think they may refer to a division or to a regiment.

Mr. GORE. If so, then the word "army" or the words "military forces" should be substituted, should they not?

Mr. STERLING. If so——

Mr. GORE. Here is what I had in mind, the incident that occurred at Houston, Tex., which was participated in by a number of soldiers. A number of murders were committed by colored soldiers. They have been court-martialed. I do not know whether they have been executed or not. Would a criticism of the men who participated in that riot and did the killing come within the purview of this act?

Mr. STERLING. I think not.

Mr. GORE. Would it not come within the purview of the act if you merely use the word "soldiers"?

Mr. STERLING. I think that would hardly come within the purview of the act. It would not be an offense for which anybody would be punishable to criticize soldiers who acted as those soldiers did.

Mr. GORE. I take it that is the very point the Senator from Tennessee is trying to drive home. I think the language of the bill would make it an offense to criticize those murderers, if I may be permitted to allude to them as murderers. I think they were convicted by court-martial.

Mr. STERLING. If scurrilous or contemptuous language was used against a regiment or division of soldiers or against soldiers in cantonments—for example, in a particular cantonment—it would be wholly unjustifiable.

Mr. McKELLAR. I will say to the Senator, if he will look at the clause on page 2, line 4, he will find the words "military or naval forces" will do all he is contending for.

Mr. President, I wish to call attention very briefly to two or three other words. I am in entire sympathy with the substitution of the word "intended" for the word "calculated," which question has already been fully argued by various Senators. "Calculated" is not a legal term and "intended" is. It would clear up the situation very much and make everybody understand just what the law is to use the word "intended." In that portion of the bill found in lines 4, 5, 6, and 7, on page 3, about which I asked a question yesterday as to its meaning, the Senator from Georgia [Mr. SMITH] has introduced an amendment and had it printed, to insert after the word "any," on line 5 of page 3, the words "legal order of any," which will make that clause absolutely certain and will not lead to the result that I feared on yesterday it might lead to. It will clear it up; and I hope that amendment will be adopted. We must not make legitimate criticism of official conduct a crime. This act is to punish disloyalty, not to punish those who want to see the greatest efficiency in prosecuting our enemies.

Mr. MYERS. I should like to ask the Senator a question.

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

Mr. McKELLAR. With pleasure.

Mr. MYERS. In regard to the amendment of the Senator from Georgia, suppose some disloyal person would indulge in a harangue before a crowd which would cause some members of the crowd to resist the officer who ordered them to disperse when they were making disloyal remarks, where would the order be?

Mr. McKELLAR. The order would be from the duly constituted authority. He would be acting in his legal capacity, and it would certainly render the person thus inciting and inflaming resistance liable under the bill as amended by the Senator from Georgia, just as it would under the bill unamended.

Mr. MYERS. The Senator means a verbal order to the crowd to disperse.

Mr. McKELLAR. If he had legal authority, it would, whether the authority was verbal or written. If an officer is acting under authority of law, it is immaterial whether his authority is verbal or written in cases like the one the Senator has in mind.

Mr. MYERS. Suppose they were making a disturbance as the result of disloyal remarks, and an officer would undertake to arrest one of them and to take him to jail, and he would resist the officer, where would the legal order be? He would be arresting a man on the spot for violating the law. He would have no legal order.

Mr. McKELLAR. He has a legal order, and the authority for that is placed by the statute in his hands. A statutory authority to make an arrest in the case supposed by the Senator is as much a legal order as if it were written out.

Mr. MYERS. He would have authority of law, but he is not putting in force any legal order of the court. It seems to me to be very complicated.

Mr. McKELLAR. I understand what the Senator desires to accomplish by this provision, and I understand that it is a matter of prime importance in his State. I am inclined to yield to any suggestion he and others situated as he is may make about the matter, but it seems to me it would clear it up and give the exact force which was intended to be given if words were inserted so as to read "any legal order of." To leave it as it is might be to give the clause a scope that is not intended.

Mr. MYERS. In regard to substituting the word "intended" for the word "calculated," suppose a charge were made and a man put on trial for using language in contempt of our form of government and the language was proven, and the defendant would testify that he had no intent to bring our Government into disrepute, and the court would instruct the jury that not only the utterance of the words be proven beyond all reasonable doubt, but the fact that by uttering them he intended to bring the Government into disrepute must be proved beyond all reasonable doubt, how would you prove the intent?

Mr. McKELLAR. All I can say to the Senator is that I think the difference between "calculated" and "intended," as used in this bill, is largely no difference at all. It is the difference between tweedledum and tweedledee.

Mr. MYERS. Let me illustrate it.

Mr. McKELLAR. I think either word is all right, and I do not think the difference between them has merited all the debate which has been had about it. The only thing about it is that the word "intended" is a legal term that has been interpreted from time immemorial by our courts and we know exactly what it means, whereas the word "calculated" is not such a legal term. It seems to me that we ought to use the legal term; that is all.

Mr. MYERS. There is this difference: The word "calculated" is used here to qualify the language; it is calculated to have a certain result. It qualifies and describes the language. The language uttered is subject to the word "calculated," whereas "intended" means what the man has in his heart. I think there is a distinction.

Mr. McKELLAR. I do not agree with the Senator that the difference exists that he thinks exists about the use of these words. I think it is a very immaterial difference. It does not amount to enough to discuss it, and I am going to vote for the bill regardless of whether the word "calculated" or the word "intended" is used. It is immaterial, in my judgment.

Mr. President, this is all I intend to say about the bill. I think we ought to be careful about its phraseology. I am heartily in favor of the bill. I think it should pass, and I hope it will be passed this afternoon. The debate on the bill yesterday was most helpful and most interesting, and we will have a better bill because of it; but it does seem to me a bill of this importance, when we have had such an illustration as has recently been given us in Wisconsin as to the necessity of acting upon this question, ought to have action, and we ought to take action now. I hope the Senate will pass the bill this afternoon. We ought not to delay it a day longer. We should let the country know that we are a unit against disloyalty.

Mr. OVERMAN. Mr. President, it is very evident that there is no quorum present. I am informed that it will be impossible to get a quorum this afternoon. Many Senators are away making patriotic speeches for the liberty loan issue. I have found that they can not be here, and therefore I am compelled to let the bill go over until Monday.

Mr. POMERENE. If the Senator will yield to me for a moment I want to say just a word with regard to the bill.

Mr. OVERMAN. Very well.

Mr. POMERENE. Mr. President, I am very much in favor of the bill. In some respects it does not go as far as I would like to have it go. I am obliged to be away on Monday and Tuesday to aid in a small way in the liberty bond sale. If I were here I would vote for the bill. I simply wanted the RECORD to show that fact.

Mr. OVERMAN. I ask that the telegram which I send to the desk be read.

The PRESIDING OFFICER. Without objection, the telegram will be read.

The Secretary read as follows:

CLEVELAND, OHIO, *April 6, 1918.*

Hon. LEE S. OVERMAN,
United States Senate, Washington, D. C.:

The people of Ohio, and I think all over the country, are expressing the earnest hope that the Senate will make this April 6 memorable for national security by passing the pending legislation for adequate punishing of traitors and spies. Effective laws to stamp out treason is the supreme need of this hour that Congress can meet.

JOSEPH DANIELS.

EXECUTIVE SESSION.

Mr. OVERMAN. Mr. President, if there were no objection to this bill I should like to have it passed this evening, but I know there are certain Senators who desire to be heard upon it, and I do not want to press it when those Senators are absent and can not be here. I therefore move that the Senate proceed to the consideration of executive business.

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

RECESS.

Mr. OVERMAN. I move that the Senate take a recess until Monday next at 12 o'clock noon.

The motion was agreed to; and (at 4 o'clock and 5 minutes p. m.) the Senate took a recess until Monday, April 8, 1918, at 12 o'clock meridian.

HOUSE OF REPRESENTATIVES.

SATURDAY, *April 6, 1918.*

The House met at 12 o'clock noon.

The Chaplain, Rev. Henry N. Couden, D. D., offered the following prayer:

O Thou, who art ever constant in Thy ministrations and always interested in the welfare of Thy children, the same yesterday, to-day, and forever; help us to renew our confidence in Thee and make us faithful to our duties, both private and public; that we may fulfill our destiny upon the earth and hear at last the "Well done, good and faithful servant, enter thou into the joy of thy Lord."

This we ask in the spirit of the Lord Jesus Christ. Amen.

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

MAIL ADDRESSED TO AMERICAN EXPEDITIONARY FORCE.

Mr. TREADWAY. Mr. Speaker, I move to discharge the Committee on the Post Office and Post Roads from the further consideration of House resolution 296, and ask for its immediate adoption.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House resolution 296.

Resolved, That the Postmaster General be requested to furnish the House of Representatives, if not incompatible with the public interest, information relative to the amount of mail matter which has been addressed to members of the American Expeditionary Force during the past 30 days of the class which has now been restricted in transportation; also information relative to the amount of mail matter that has been sent to members of the American Expeditionary Force by the Committee on Public Information, how it has been distributed, and whether mail matter of this kind has been restricted in further transportation.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

COINAGE OF 50-CENT PIECES FOR ILLINOIS CENTENNIAL.

Mr. WHEELER. Mr. Speaker, I ask unanimous consent for the present consideration of the bill H. R. 8764.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

A bill (H. R. 8764) to authorize the coinage of 50-cent pieces in commemoration of the one hundredth anniversary of the admission of the State of Illinois into the Union.

Be it enacted, etc., That, as soon as practicable, and in commemoration of the one hundredth anniversary of the admission of the State of Illinois into the Union as a State, there shall be coined at the mints of the United States 50-cent pieces to the number of 200,000, such 50-cent pieces to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, and said 50-cent pieces shall be legal tender in any payment to the amount of their face value.

SEC. 2. That all laws now in force relating to the minor coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coin, or for any other purpose, whether said laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized.

Also, the following committee amendments were read:

Page 1, line 6, after the words "United States," insert the word "silver."

On page 1, line 7, strike out the word "two" and insert the word "one."

So that as amended the lines will read:

There shall be coined at the mints of the United States silver 50-cent pieces to the number of 100,000, etc.

Mr. KITCHIN. Mr. Speaker, reserving the right to object, is that a unanimous report from the committee?

Mr. WHEELER. It is a unanimous report of the committee; yes, sir. There is no objection to this bill at all.

Mr. KITCHIN. Do you know whether or not the committee conferred with the Treasury Department?

Mr. WHEELER. I conferred with the Treasury Department, and I have a letter from the Secretary of the Treasury in which he states he will be glad to coin them if the bill is passed; and also I have a letter from Mr. Baker, the Director of the Mint, saying he has no objection to the bill. There is no expense whatever attached to the Government, and the State of Illinois, by an act a few years ago, appointed 14 centennial commissioners for the purpose of celebrating the anniversary this year of the admission of the State of Illinois into the Union, and they are celebrating it in every county of the State.

Mr. KITCHIN. Of course it is at no cost to the Treasury Department at all?

Mr. WHEELER. None whatever.

Mr. KITCHIN. The State pays it?

Mr. WHEELER. Yes, sir.

Mr. KITCHIN. Does the gentleman know whether there is any precedent for this or not?

Mr. WHEELER. Oh, yes.

Mr. KITCHIN. I mean in the case of a State celebrating the anniversary of the admission of the State into the Union?

Mr. WHEELER. I can not say.

Mr. KITCHIN. I have no objection on that account.

Mr. WHEELER. At the World's Fair in Chicago this was done, and also at the exposition in St. Louis.

Mr. KITCHIN. I understand that the Treasury Department and the Director of the Mint passed on it and raised no objection?

Mr. WHEELER. The Director of the Mint stated to me that he had no objection to this bill.

Mr. ASHBROOK. If the gentleman will permit, I would like to say, as chairman of the Committee on Coinage, Weights, and Measures, that this bill was considered by that committee and it was the unanimous report of the committee that the bill should be passed.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none. This bill is on the Union Calendar.

Mr. WHEELER. Mr. Speaker, I ask unanimous consent that it be considered in the House as in the Committee of the Whole.

The SPEAKER. The gentleman from Illinois asks unanimous consent that it be considered in the House as in the Committee of the Whole. Is there objection? [After a pause.] The Chair hears none. The Clerk will report the other amendment.

The Clerk read as follows:

Third committee amendment: Page 2, line 12, insert the following proviso:

"*Provided*, That the Government shall not be subject to the expense of making the necessary dies and other preparations for this coinage."

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

The committee amendments were agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read a third time, and passed.

On motion of Mr. WHEELER, a motion to reconsider the vote by which the bill was passed was laid on the table.

THE AMERICAN'S CREED.

Mr. SEARS. Mr. Speaker, I ask unanimous consent to address the House not to exceed three minutes.

The SPEAKER. The gentleman from Florida asks unanimous consent to address the House for not to exceed three minutes. Is there objection?

There was no objection.

Mr. SEARS. Mr. Speaker, as chairman of the Committee on Education, I ask unanimous consent to have printed in the CONGRESSIONAL RECORD the stenographic report of the proceedings held in the caucus room of the House Office Building on Wednesday, April 3, 1918, on the occasion of the official announcement by the Commissioner of Education, on behalf of the Government, of the award for the best creed of an American citizen. The award was made to Mr. William Tylor Page, a veteran employee of the House, and "The American's Creed," of which he is the author, was accepted in appropriate remarks by Speaker CLARK and former Speaker CANNON.

I desire to say, Mr. Speaker, that this creed is brief, but it expresses the sentiments of every loyal American citizen. I sincerely trust it will be taught in every school and that it will be committed to memory by every man, woman, and child in the United States. I am sure, when I say I want to sincerely and heartily congratulate this efficient employee upon his success, not so much in winning the $1,000 but for the heritage

which he can leave to his relatives and children, that I but express the sentiment of each and every Member of this House, and I trust my request will not only be granted but that the Committee on Printing may deem it appropriate to make the proceedings a public document. [Applause.]

The SPEAKER. The gentleman from Florida asks unanimous consent to have the proceedings printed in the RECORD. Is there objection?

There was no objection.

WEIGHTS AND MEASURES, DISTRICT OF COLUMBIA.

Mr. JOHNSON of Kentucky. Mr. Speaker, House bill 10887, relative to weights and measures in the District of Columbia, was referred to the Committee on Interstate and Foreign Commerce. I have spoken to the chairman of that committee, the gentleman from Tennessee [Mr. SIMS], with a view to asking that the reference be changed from that committee to the Committee on the District of Columbia, and I now make that request.

The SPEAKER. The gentleman from Kentucky asks that the reference of the bill be changed from the Committee on Interstate and Foreign Commerce to the Committee on the District of Columbia. Is there objection?

Mr. ASHBROOK. Reserving the right to object, Mr. Speaker, the Committee on Coinage, Weights, and Measures is not especially anxious to load up with propositions of this kind, but I would like to inquire of the gentleman from Kentucky why this bill should be referred to the Committee on the District of Columbia rather than to the Committee on Coinage, Weights, and Measures if it has to do with coinage, weights, and measures?

Mr. JOHNSON of Kentucky. I would say to the gentleman that if he wants the bill he is perfectly welcome to it. The gentleman from Tennessee wishes to get rid of it. It relates to weights and measures in the District of Columbia. If the gentleman will make a motion to have it transferred to his committee, I will agree to it. [Laughter.]

Mr. ASHBROOK. Mr. Speaker, I withdraw the objection. [Laughter.]

The SPEAKER. Without objection, the reference asked for will be made.

There was no objection.

NEW LIBERTY LOAN.

Mr. WOOD of Indiana rose.

The SPEAKER. For what purpose does the gentleman from Indiana rise?

Mr. WOOD of Indiana. To ask unanimous consent that the Clerk read a telegram showing how the liberty bonds are going out in Indiana.

The SPEAKER. The gentleman from Indiana asks one minute in which to have read a telegram. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read the telegram.

The Clerk read as follows:

EAST CHICAGO, IND., *April 5, 1918.*

Hon. WILLIAM R. WOOD,
Washington, D. C.:

Since 6 o'clock to-night the people of the city of East Chicago, Lake County, Ind., have purchased their full quota, $780,000 worth of third liberty loan bonds, and will purchase many hundred thousands dollars additional before the drive is over.

LIBERTY LOAN COMMITTEE,
WALTER J. RILEY, *Chairman.*

[Applause.]

Mr. LEE of Georgia rose.

The SPEAKER. For what purpose does the gentleman from Georgia rise?

Mr. LEE of Georgia. I ask for one minute to have a telegram read in the RECORD in regard to liberty bonds.

The SPEAKER. The gentleman from Georgia asks unanimous consent for one minute in which to have read a telegram in regard to liberty bonds. Is there objection?

There was no objection.

The SPEAKER. The Clerk will read.

The Clerk read as follows:

TRION, GA., *April 6, 1918.*

Congressman GORDON LEE,
Washington, D. C.:

Chattanooga County quota third liberty loan oversubscribed to-day. Trion district quota doubled.

N. K. BITTING,
County Chairman.
W. I. BENNETT,
District Chairman.

BUSINESS FROM THE COMMITTEE ON MILITARY AFFAIRS.

Mr. GARRETT of Tennessee. Mr. Speaker, by direction of the Committee on Rules, I present a privileged report (No. 472).

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

House resolution 301.

Resolved, That Monday, the 8th day of April, 1918, immediately after the reading of the Journal, be, and is hereby, set apart for the consideration of such business as may be presented by the Committee on Military Affairs, not to include any bill making appropriations for the support of the Army or the Military Academy; and if any bill shall be under consideration and not disposed of when the House adjourns on that day, the consideration of such bill shall continue from day to day, immediately after the reading of the Journal, until disposed of.

Mr. KITCHIN. Mr. Speaker, I would like to interrupt the gentleman just a minute.

Mr. GARRETT of Tennessee. I yield to the gentleman.

Mr. KITCHIN. I suggest that the gentleman put that in the shape of a unanimous-consent request. I am sure that the House would give unanimous consent. Not a Member would object, and it would appear a great deal better that the House gave unanimous consent to the consideration of the bills than to be put in the position to have to get a rule to consider them. The gentleman from Kentucky [Mr. JOHNSON], of course, has Monday, District day, and I am sure that he will not object.

Mr. JOHNSON of Kentucky. Next Monday under the rule is District day. I would not object, provided I can come to some understanding with the majority leader that there will be no effort to take the following day from my committee.

The SPEAKER. No unanimous request has been made.

Mr. KITCHIN. I make that suggestion.

Mr. JOHNSON of Kentucky. I would like to have some expression from the gentleman from North Carolina that there will be no effort to take away the next District day.

Mr. KITCHIN. No. I can say that, for my part, if the gentleman surrenders the coming Monday I would be willing to give him another day.

Mr. GARRETT of Tennessee. I am willing to ask unanimous consent, if the gentleman from North Carolina prefers it should be done in that way.

Let me explain what the rule is and the necessity for it. The Committee on Military Affairs has on the several calendars of this House at this time a number of bills—I think perhaps 12 or 15 in all; maybe more—some of them of very great urgency, and all of them are so related to the war as to entitle them to prompt consideration. Now, it is the purpose to undertake to give the committee that day, in order that they may dispose of these bills. The appropriation bill is expressly excluded from that rule, and I may state that the quota bill or resolution—the Senate joint resolution 123—amending the draft law, will not come up on that day, although it would be in order.

Mr. MADDEN. Mr. Speaker, will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. MADDEN. Why not? Why should it not come up? That is one of the most important bills we have.

Mr. GARRETT of Tennessee. I will say to the gentleman that there is an agreement in the Committee on Military Affairs touching that question. It will probably come in under a rule of its own, if a rule is necessary, on Thursday, perhaps.

Mr. MADDEN. If the gentleman will yield, I would like to suggest that there is no more important bill pending in the Committee on Military Affairs, or in the House from the Committee on Military Affairs, than the change in the draft law, and I sincerely hope that there will be no agreement between the members of the Committee on Military Affairs that will postpone the consideration of that bill.

Mr. GARRETT of Tennessee. I think they have already agreed upon the time they will present it.

Mr. MADDEN. When do they propose to call it up?

Mr. GARRETT of Tennessee. I think next Thursday.

Mr. DENT. If the gentleman from Tennessee will yield, I think I can satisfy the gentleman from Illinois.

Mr. GARRETT of Tennessee. I will yield to the gentleman.

Mr. DENT. When the so-called quota bill was reported out of committee the gentleman from California [Mr. KAHN], the ranking minority Member, was called to Wisconsin, and we agreed to hold it up during his absence; and then the gentleman from Nebraska [Mr. SHALLENBERGER], who was leading the minority report, was called to Nebraska, and we had an agreement that we would not call it up until he returned.

He is expected back Monday or Tuesday, and as soon as he gets back the gentleman from California [Mr. KAHN] and myself will ask the Committee on Rules to report that rule immediately, and I hope it can be considered on next Thursday.

Mr. MADDEN. May I ask one further question in connection with it? Suppose the gentleman from Nebraska [Mr. SHALLENBERGER] does not get back before Thursday, will there be any further postponement?

Mr. POU. No; there will not.

Mr. DENT. I do not expect to ask any further postponement.

Mr. MADDEN. Beyond next Thursday?

Mr. DENT. I hope it will be Thursday.

Mr. MADDEN. I hope it will be.

Mr. KITCHIN. Permit me to ask the gentleman from Alabama a question. Is the delay in the passage of this so-called draft bill until Thursday, or until the latter part of next week, delaying the actual draft proceedings of the War Department?

Mr. DENT. Oh, I think not at all; Mr. Speaker——

Mr. KITCHIN. It could not do it.

Mr. DENT. Because the arrangements have been made for the draft, and the War Department is not ready yet to fill up camps with the second quota. I do not think it will mean any delay at all in the second draft.

Mr. WISE. Mr. Speaker, I want to suggest to the gentleman from Alabama [Mr. DENT] that the delay of this bill until Thursday can not delay the draft, because the very purpose of that bill is to place the quota basis on what will be known as class 1 under the new plan of the questionnaire. The department has not the returns from the local and district boards as to the number that will be placed in class 1. They can not possibly proceed with the draft until they get returns from all the local boards and the district boards as to the number placed in class 1. These boards are now classifying these registrants, to place them in the different classes. Some members of the committee thought we ought to have that information before we acted on this bill, because every Member of the House will want to know the number placed in class 1, so as to be able to determine and know the effect of the change.

Mr. KAHN. Will the gentleman yield?

Mr. WISE. Yes.

Mr. KAHN. I want to say that the Provost Marshal General informed me a day or two ago that they have the full returns from all the States except two.

Mr. WISE. Our committee and different members of the committee have been trying to get that information from the provost marshal. As I understand it, he has not yet received and furnished the committee with that information.

Mr. KAHN. He has not furnished it to me, because I did not ask for it.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not yield further on that matter, which is not involved in this rule, and I would like to make this further statement, and then I will yield to the gentleman from Kentucky [Mr. SHERLEY]. The rule provides that if at the time the House adjourns on Monday it has a bill under consideration, the consideration of that particular bill may be continued on the following day until it is concluded. That does not mean, of course, that any other bill except the one pending at the time of adjournment on Monday can be considered on the following day.

Mr. SHERLEY. Right at that point I want to ask the gentleman to yield. It is possible that a bill of considerable controversy may be taken up Monday and then, under the order now proposed, be made a continuing order from day to day. We have reached a point where we have got either to speed up the supply bills, or all talk of adjournment by July or August or September is going to disappear into thin air. There is no use deceiving ourselves, and I do not want to see orders made that are going to interfere with the passage of the necessary supply bills.

Mr. GARRETT of Tennessee. Let me say this to the gentleman from Kentucky: It is necessary to pass the supply bills, of course. We all realize that. But surely it is necessary to pass the military bills—those directly related to the present war.

Mr. SHERLEY. Yes; but it is one thing to call a military bill one directly related to the war, and it is another thing to bring up a bill of less importance and make it the medium for a lot of delay. We had a bill here last week and spent a full week on it. We are simply wasting days in the consideration of bills that ought to be passed very much more rapidly.

Mr. GARRETT of Tennessee. The gentleman from Kentucky is quite correct about that, and while it has not been the policy of the Committee on Rules for many years to bring in what are known as drastic rules, limiting the time of debate and cutting off amendments, I want to say for myself that I think the business of this House has about reached the period where we are going to have to make up our minds in the future to vote for rules somewhat more drastic than those for which we have been voting—rules cutting debate to the bone and cutting off amendments.

Mr. SHERLEY. If the gentleman will yield further to me, the remedy is in our own hands. If we will simply be honest with ourselves and talk only about business, and for no other purpose, we can get through with these bills without days and weeks of discussion. [Applause.]

Mr. HAMILTON of Michigan. Then indeed we will see the dawn of the millenium.

Mr. GARRETT of Tennessee. I want to prefer a request for unanimous consent that this resolution may pass. Before I do that I want to yield to the gentleman from Kansas [Mr. CAMPBELL] such time as he may desire. Then I shall prefer the request for unanimous consent that the resolution pass.

Mr. KITCHIN. Without further debate?

Mr. GARRETT of Tennessee. Without further debate.

Mr. CAMPBELL of Kansas. Mr. Speaker, the Committee on Rules had a request from the chairman of the Committee on Military Affairs and the ranking minority member of the committee and other members of that committee, supplemented by requests from the War Department and from others interested in the legislation. The President is urging the passage of some bills that are made in order by this resolution. It is most important that some of these bills be enacted at the earliest day possible. The committee thought that there was no matter more pressing than some bills made in order by the resolution. The Committee on Military Affairs is given discretion to call up bills in the order of their importance and give them precedence in that order. First, the request was to give a rule making these bills in order under a number of rules. We thought the time of the House could be conserved and public business expedited by bringing in a rule making all bills in order in this way. I sincerely hope that the resolution will be agreed to by unanimous consent.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask unanimous consent that the resolution may pass.

Mr. SMALL. Reserving the right to object, for the purpose of asking a question, as I understand, consent involves the proposition that if any bill is pending and not concluded on Monday when adjournment takes place, that that particular bill goes over and no other.

Mr. GARRETT of Tennessee. The gentleman is correct.

The SPEAKER. The gentleman from Tennessee asks unanimous consent that the resolution pass. Is there objection?

There was no objection.

The resolution was agreed to.

ENROLLED BILL PRESENTED TO THE PRESIDENT FOR HIS APPROVAL.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States, for his approval, the following bill:

H. R. 9352. An act to amend an act entitled "An act providing for an Assistant Secretary of War," approved March 5, 1890, and for other purposes.

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Sharkey, announced that the President had approved and signed bills of the following titles:

On April 2, 1918:

S. J. Res. 133. Joint resolution authorizing the granting of insurance under the act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, on application by a person other than the person to be insured.

On April 6, 1918:

H. R. 9352. An act to amend an act entitled "An act providing for an Assistant Secretary of War," approved March 5, 1890, and for other purposes.

PROMOTION OF EXPORT TRADE—CONFERENCE REPORT (NO. 450).

Mr. WEBB. Mr. Speaker, I call up the conference report on the bill (H. R. 2316) to promote export trade, and for other purposes, and I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from North Carolina 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 committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2316) to promote export trade, 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 amendment numbered 8.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 3, and 4, and agree to the same.

Amendments numbered 5 and 6: That the House recede from its disagreement to the amendments of the Senate numbered 5 and 6, and agree to the same with amendments as follows: In

lieu of the matter stricken out and the matter inserted by said amendments strike out in lines 1, 2, and 3, page 3, all of section 2 after the word "or," in line 1, page 3; the matter stricken out being "intentionally and unduly enhances prices within the United States of commodities of the class exported by such association," and insert in lieu thereof the following: "intentionally enhances or depresses prices within the United States of commodities of the class exported by such association, or which substantially lessens competition within the United States or otherwise restrains trade therein"; and the Senate agree to the same.

Amendment numbered 7: That the House recede from its disagreement to the amendment of the Senate numbered 7, and agree to the same with an amendment as follows: In line 18, page 5, in addition to the matter stricken out by the Senate amendment strike out the words "and unduly," and in addition to the words added by the Senate amendment add in line 20, page 5, after the word "association" and before the word "it," the following: "or which substantially lessens competition within the United States or otherwise restrains trade therein,"; and the Senate agree to the same.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

ATLEE POMERENE,
JOE T. ROBINSON,
ALBERT B. CUMMINS,
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. 2316) to promote export trade, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

On amendments Nos. 1, 2, 3, and 4, on which the House recedes: Have the effect of excluding from the comprehensive definition given in the section of "export trade" the selling of the goods, wares, or merchandise for resale as well as for consumption within the United States or any Territory thereof.

On amendments Nos. 5 and 6, on which the House recedes with amendments: Do not substantially change the act. The language substituted was agreed upon in conference as more clearly and accurately defining the things which an association formed under the provisions of this act could not do and be protected by the provisions of the act.

On amendment No. 7: Is a change in language used to make it conform to the amendments made in Nos. 6 and 7.

On amendment No. 8: The Senate here recedes, which leaves the matter involved as originally passed by the House.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

Mr. VOLSTEAD rose.

Mr. WEBB. Mr. Speaker, I yield 10 minutes to the gentleman from Minnesota [Mr. VOLSTEAD].

Mr. VOLSTEAD. Mr. Speaker, I am opposed to the passage of this bill. As I have signed this conference report, a word of explanation seems to me necessary. I have signed the report on the theory that in doing so I was acting for the House in carrying out its views rather than my individual views. In making this explanation I do not desire to enter into any extended argument in regard to the merits of the bill. I only wish to call attention, briefly, to some reasons for my opposition.

I am satisfied that when this becomes a law, if it is taken advantage of by the various industries in this country, as it may be, we shall have, in effect, by indirection repealed the Sherman Antitrust Act. I have consulted a number of different lawyers in reference to this matter, thinking that perhaps in my zeal to preserve that law I might be oversolicitous and mistaken; but I find that, after explaining the bill to them, nearly all substantially agree with the view I entertain. There are Members on this floor who will vote for this report that entirely agree with my position. There are men now charged with the enforcement of the Sherman antitrust law that do not hesitate to express the same views.

Let me say in explanation of my position that the object of the Sherman Antitrust Act is to preserve competition. It has been repeatedly stated by the Supreme Court that that was the prime object in enacting it. Now, how does it seek to do that? It does it by condemning combinations, contracts, and conspiracies to create trusts or monopolies or otherwise restrain trade.

What does this bill do? Instead of condemning such contracts, combinations, and conspiracies it expressly authorizes them and then attempts to limit their operation to the foreign trade. Gentlemen say we are only creating agents for the purpose of carrying on foreign trade. That is not true at all. This bill expressly authorizes every industry in the United States that is engaged in the domestic trade to combine in any way it may see fit. That means that every shoe factory, every cotton mill, every sawmill, and all other industries may combine by a contract as one corporation. When such combinations have been entered into, what becomes of the restriction that they must confine their operations to the domestic trade?

Let me illustrate. Take the cotton industry in the South. This permits every mill engaged in the production of any sort of fabric that has to purchase cotton and everybody else engaged in such purchases to combine for the foreign trade. They will have the power when combined to practically fix the price of cotton in the foreign market or may, to exclude their foreign competitors, make a price for a season's supply. To secure the cotton in this country it will have to be purchased at figures to meet the contracts they make abroad. When they buy it will be impossible to distinguish between cotton to be used in this country for the domestic trade and cotton to be used in the foreign trade. This will clearly eliminate competition.

The same is true of wheat. This will permit every miller and elevator man in the country to combine for the foreign trade. They can go to England, France, or anywhere else, and make arrangements to furnish wheat at a certain figure. When they come to buy wheat in the domestic market for export to fill this contract it is absolutely impossible to make a distinction between wheat purchased for the domestic or the foreign trade. The same will be true of manufactured products. Where is your competition under such an arrangement? Every one in the combination will know at what price goods are sold in the foreign market, as in consulting one with another in regard to cost of production and sale of goods in the foreign trade no one can reasonably expect that this consultation will not inevitably involve a like discussion as to prices in the domestic trade and a like elimination of competition in that trade.

I know the answer to this contention. It is claimed by the friends of this bill that as to domestic trade the Sherman law is preserved. If it is, then you have not eliminated competition in the foreign trade nor relieved that trade from the effect of that law. Courts are not going to hold that this legislation has no effect. Besides, it should be borne in mind that this bill does not even attempt to preserve the Sherman law as to domestic trade. It is not enough under this law, as it is under the Sherman law, to make a combination or contract illegal that its effect tends to create a monopoly or restrain trade. Nothing is said about monopolies in this bill, and it permits prices in the domestic market to be enhanced or depressed, if it is not done intentionally or artificially, and competition may be lessened, unless it is a substantial lessening. It will be practically impossible to prove a violation under language such as that, and courts can not be expected to punish the natural effect of the combination expressly authorized or the natural effect of the elimination of competition in the foreign market.

A law similar to this could have been drafted that would have given to foreign commerce practically every advantage that this is expected to give, and that at the same time would have kept our domestic commerce subject to the provisions of the Sherman Antitrust Act.

Mr. SLOAN. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. SLOAN. Does this bill seek to give advantage to foreign trade over domestic trade, giving a sanctity to the trade of foreigners over that of the trade of our own people?

Mr. VOLSTEAD. No; this bill undertakes to relieve the foreign trade from the provisions of the Sherman Antitrust Act, but in doing that it authorizes combinations that must of necessity have a like effect upon the domestic trade, because you can not separate the two. They are inseparable.

Mr. SLOAN. Is that the professed object of the bill?

Mr. VOLSTEAD. No; the professed object of the bill is simply to affect the foreign trade.

I am in sympathy with some legislation along this line, and if gentlemen will take the report submitted by the Trade Commission in support of this measure they will find suggestions in that report for a bill that I think would have given practically all of the advantages of this bill and at the same time made reasonably safe the situation here at home.

Mr. WALDOW. Mr. Speaker, will the gentleman yield?

Mr. VOLSTEAD. Yes.

Mr. WALDOW. Do I understand that this is to be a permanent law?

Mr. VOLSTEAD. This is to be permanent law. Let me call attention, in conclusion, to this situation: To-day throughout

this country there undoubtedly are violations of the Sherman antitrust law right and left. There is no question but that profiteering of the most outrageous character is going on, profiteering through combinations and contracts of the very kind you are authorizing here. This will give them the right to continue that sort of profiteering. Some day I believe the American people will wake up to what this Congress is doing and resent it. I do not believe the Sherman antitrust law is the best law possible, but it is the only thing we have to restrain profiteering. I believe the time is coming when we shall have to pass a different kind of law from the Sherman Antitrust Act, but until we pass it we ought to preserve what we have. If we want to repeal it, we ought to do it openly and not in the guise of an export law.

Mr. WEBB. Mr. Speaker, the argument of my friend from Minnesota [Mr. VOLSTEAD] might well have been directed against the original passage of the bill, but certainly not against this conference report, because your conferees have acted under the direction of the House, as it passed by a vote of 240 to 26, I think. We have acted strictly in accordance with the direction of the House, and I do not care at this time to take up the time of the House in discussing and debating the merits of the bill, which were so thoroughly gone into when it passed in two separate Congresses. The bill absolutely protects the home market from contemplated or supposed unlawful or trade restraining acts of any of these corporations. In the first place, they are not permitted to do any act or enter into any conspiracy which would artificially or intentionally enhance or depress prices, nor can they do anything which substantially lessens competition or otherwise restrains trade within the United States. That language is a perfect preservation of the Sherman law in all its virility within the confines of this country. The object of the bill is to permit our exporters to do in other countries what those other countries permit them to do, and that is form such combinations and organizations as will enable them to successfully compete with the very same kind of organizations they are compelled to compete with to-day without the privilege extended in this bill. I believe it will be the salvation of our export trade. After the war is over conditions are going to be acute, the times will be critical, and nearly every foreign country permits exporters to combine for the very purpose of underselling the American exporters in every market of the world. If we are not permitted to let our exporters use the same kind of ammunition and weapons we might as well ask our exporters to tear down their factories and confine their production to home uses entirely. I therefore ask that the conference be agreed to.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

WILLFUL DESTRUCTION OF WAR MATERIALS—CONFERENCE REPORT (NO. 470).

Mr. WEBB. Mr. Speaker, I call up the conference report upon the bill (S. 383) to punish the injury to war materials, war utilities, and war premises, and, as I think the House will understand the matter better if the statement be read rather than the report, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman calls up a conference report 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 of the conferees.

The committee of conference on the disagreeing votes of the two Houses on the amendment of the House to the bill (S. 383) to punish the destruction or injuring of war material and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, 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 striking out all after the enacting clause, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following:

"That the words 'war material,' as used herein, shall include arms, armament, ammunition, live stock, stores of clothing, food, foodstuffs, or fuel; and shall also include supplies, munitions, and all other articles of whatever description, and any part or ingredient thereof, intended for, adapted to, or suitable for the use of the United States, or any associate nation, in connection with the conduct of the war.

"The words 'war premises,' as used herein, shall include all buildings, grounds, mines, or other places wherein such war material is being produced, manufactured, repaired, stored, mined, extracted, distributed, loaded, unloaded, or transported, together with all machinery and appliances therein contained; and all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation.

"The words 'war utilities,' as used herein, shall include all railroads, railways, electric lines, roads of whatever description, railroad or railway fixture, canal, lock, dam, wharf, pier, dock, bridge, building, structure, engine, machine, mechanical contrivance, car, vehicle, boat, or aircraft, or any other means of transportation whatsoever, whereon or whereby such war material or any troops of the United States, or of any associate nation, are being or may be transported either within the limits of the United States or upon the high seas; and all dams, reservoirs, aqueducts, water and gas mains and pipes, structures and buildings, whereby or in connection with which water or gas is being furnished, or may be furnished, to any war premises or to the military or naval forces of the United States, or any associate nation, and all electric light and power, steam or pneumatic power, telephone and telegraph plants, poles, wires, and fixtures and wireless stations, and the buildings connected with the maintenance and operation thereof used to supply water, light, heat, power, or facilities of communication to any war premises or to the military or naval forces of the United States, or any associate nation.

"The words 'United States' shall include the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States.

"The words 'associate nation,' as used in this act, shall be deemed to mean any nation at war with any nation with which the United States is at war.

"SEC. 2. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully injure or destroy, or shall attempt to so injure or destroy, any war material, war premises, or war utilities, as herein defined, or, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war shall conspire to prevent the erection or production of such war premises, war material, or war utilities, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 30 years, or both.

"SEC. 3. That nothing herein shall be construed as making it unlawful for employees to agree together to stop work or not to enter thereon with the sole and bona fide purpose of securing better wages or conditions of employment.

"SEC. 4. That when the United States is at war, whoever, with intent to injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, or whoever, with reason to believe that his act may injure, interfere with, or obstruct the United States or any associate nation in preparing for or carrying on the war, shall willfully make or cause to be made in a defective manner, or attempt to make or cause to be made in a defective manner, any war material, as herein defined, or any tool, implement, machine, utensil, or receptacle used or employed in making, producing, manufacturing, or repairing any such war material, as herein defined, shall, upon conviction thereof, be fined not more than $10,000 or imprisoned not more than 30 years, or both."

And the House agree to the same.

That the Senate recede from its disagreement to the amendment of the House to the title, and agree to the same.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

LEE S. OVERMAN,
DUNCAN U. FLETCHER,
KNUTE NELSON,
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 amendment of the House to the bill (S. 383) to punish the destruction or injuring of war material and war transportation facilities by fire, explosives, or other violent means, and to forbid hostile use of property during time of war, and for other purposes, submit the following written statement explaining the effect of the action agreed on:

The Senate recedes from the amendment of the House striking out all of the bill after the enacting clause and substituting

therefor the bill as agreed upon in the House, with certain minor changes and additions.

The definition of "war material," in the first paragraph of section 1, is enlarged so as to include live stock, stores of clothing, foodstuffs, or fuel, also munitions and any part or ingredient of the things included in the definition, and defines the use by the words "intended for, adapted to, or suitable for the use of the United States, or any associate nation, in connection with the conduct of the war."

In the third paragraph of section 1 the words "about to be" are changed to "may be," so as to make the clause limiting "war utilities" read, "whereon or whereby such war material or any troops of the United States, or of any associated nation, are being or may be transported," etc. It is further amended so as to include water and gas mains, etc., by which water and gas is being furnished or may be furnished to any war premises as well as to the military and naval forces of the United States as originally provided in the House substitute.

Section 3 of the House amendment was changed so as to limit the purposes of agreeing together to stop work or not enter thereon to cases for the sole and bona fide purpose of securing better wages or conditions of employment.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

Mr. WALSH. Mr. Speaker, will the chairman of the Committee on the Judiciary yield for a question?

Mr. WEBB. With pleasure; yes, sir.

Mr. WALSH. I have been unable to get a copy of the bill as it appears as amended by the House. I notice in the definition of "war premises," in the first page of the conference report, a definition of "war premises" includes forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation, as war premises. Now, in the section providing for a penalty it is provided that whoever should destroy war materials being made upon war premises or inflicts damage to war premises should be subject to a fine of $10,000 or imprisonment for not more than 30 years, or both. Was that in the bill as reported by the House committee?

Mr. WEBB. Yes, sir; I will say to my friend that is the exact language used in the House Judiciary Committee substitute which was offered and which the House passed. The conferees did not change a line or word of that definition of war premises. I can explain to my friend the several changes that we made, if he desires, in the definition of "war materials." The chief change was the definition of war materials.

Mr. WALSH. Putting in live stock, stores of clothing, and so forth?

Mr. WEBB. Yes.

Mr. WALSH. But under the bill as now reported if a citizen of Brazil should enter into an arsenal or fort in Canada and undertake to interfere with some war material over there, upon the Canadian property, and should come back and be passing through the United States, he could be arrested and convicted for interfering with Canadian property in Canada which was designed to be used in the conduct of this war. In other words, he could be arrested and convicted for an offense committed in a foreign country?

Mr. WEBB. Oh, no; I do not think so at all, I will say to my friend, because the words "United States" are defined in the bill and the act must be committed in the United States, as thus defined.

Mr. WALSH. But war premises includes like premises in a foreign country, and it is made a crime to destroy property in a foreign country.

Mr. WEBB. Oh, not at all. We can not legislate extraterritorially, as we say. The only case where we thus legislate is for a United States court in China, which we have extraterritorially over there, but we could not make a criminal law operate extraterritorially, except by treaty.

Mr. WALSH. Now, if the gentleman will listen to the reading of this concluding part of section 2:

And all forts, arsenals, navy yards, camps, prisons, or other military or naval stations of the United States, or any associate nation.

Now, an arsenal in Canada is war premises under this act.

Mr. WEBB. No. The definition of "United States" would cover that and includes the Canal Zone and all territory and waters, continental and insular, subject to the jurisdiction of the United States, and certainly no Canadian territory would be subject to the jurisdiction of the United States.

Mr. WALSH. I am not contending that Canadian territory would be subject to the jurisdiction of the United States, but under section 2 of this measure you are making a Canadian arsenal or Canadian fort or a British fort or a French fort or an Italian fort war premises, and in the further provision of this bill you impose a penalty for acts committed on war premises. My inquiry was prompted by the thought that that was not just as it was passed by the House committee in its original form.

Mr. WEBB. I can say to my friend that is the identical language that the Judiciary Committee presented to the House and which the House adopted.

Mr. WALSH. It was not in the original Senate bill, and my recollection was that we agreed to the language of the Senate bill in considering the bill in the Judiciary Committee of the House.

Mr. WEBB. The gentleman remembers that the House Judiciary Committee rewrote the Senate bill 383, because that confined these injuries to fire and violence. Now, we struck out the idea of fire and violence and make a man guilty of a crime if he in any way injures any of these war premises or war utilities or war material where he has reasonable ground to believe that such injury might impede or retard the progress of the war. We have made the bill very broad and under it it seems to me that every man who is charged with sabotage, or whatever it is—I have never learned exactly what the word means, but it has been used frequently and I think I have the idea—so every act, whether it be violence or by stealth, which may injure the prosecution of the war, will be caught under this bill because it is very, very broad.

Mr. WALSH. Of course, the gentleman appreciates that I in no way in the past opposed the measure——

Mr. WEBB. Not at all. I know the gentleman desired to perfect it, and helped to do so in the committee.

Mr. WALSH. But my recollection was when this matter came up in the committee the words "or any associate nation" were not included, but I know the recollection of the distinguished chairman of the Committee on the Judiciary is probably accurate.

Mr. WEBB. I will say to my friend the Judiciary Committee of the House put the words "or any associate nation" in the bill. They were put in because we thought it was necessary, as they had arsenals and manufacturing plants over here just as useful in the progress of the war as ours, and we put in a new section providing that any man who designedly makes false or defective tools or machinery for the purpose of delaying the progress of the war, we get him and make him guilty of a like crime. If there are no further questions, Mr. Speaker, I will be glad to have a vote on the conference report.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

AMENDING SECTION 4067, REVISED STATUTES—CONFERENCE REPORT (NO. 467).

Mr. WEBB. Mr. Speaker, on behalf of the House conferees I desire to call up the conference report on the bill H. R. 9504, and I ask that the statement, which is very brief, be read instead of the report. It explains the conference report. I can explain it very briefly, but it is explained in the statement of the conferees.

The SPEAKER. The gentleman from North Carolina asks unanimous consent that the statement be read in lieu of the conference report. Is there objection. [After a pause.] The Chair hears none.

The statement was read.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women, 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 amendment numbered 3.

That the House recede from its disagreement to the amendments of the Senate numbered 1 and 2, and agree to the same.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

LEE S. OVERMAN,
DUNCAN U. FLETCHER,
KNUTE NELSON,
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. 9504) to amend section 4067 of the Revised Statutes by extending its scope to include women, submit the following written statement explaining the effect of the action agreed on:

On amendments Nos. 1 and 2: Simply transpose the word "a," so as to make the text read "a declared war" instead of "declared a war." The House recedes on these amendments.

On amendment No. 3: The Senate recedes on this amendment. The Senate having added no other amendments, the act is left as it passed the House with the exception of the slight change made by amendments Nos. 1 and 2.

E. Y. WEBB,
C. C. CARLIN,
A. J. VOLSTEAD,
Managers on the part of the House.

Mr. WEBB. Mr. Speaker, this is a bill amending section 4067 of the Revised Statutes so as to include women among alien enemies. The bill we present here to-day for your adoption is just exactly like it passed the House originally. The Senate amended it, but the Senate receded.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

OVERSUBSCRIPTION TO LIBERTY BONDS, HAINES CITY, FLA.

Mr. DRANE. Mr. Speaker, I ask unanimous consent for one minute in order to read a telegram.

The SPEAKER. The Clerk will report it.

The Clerk read as follows:

HAINES CITY, FLA., *11.01 p. m., April 5, 1918.*

Hon. HERBERT J. DRANE,
Member of Congress, Washington, D. C.:

We are pleased to report to you one second after 12 o'clock a. m., eastern time, that 70 citizens of Haines City, Polk County, Fla., have subscribed to the third liberty loan $22,300, which is over three times our allotted quota.

STATE BANK OF HAINES CITY.

[Applause.]

Mr. DRANE. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

DIPLOMATIC AND CONSULAR APPROPRIATIONS—CONFERENCE REPORT (NO. 458).

Mr. FLOOD. Mr. Speaker, I call up the conference report on the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919.

Mr. FLOOD. Mr. Speaker, I ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Virginia asks unanimous consent that the statement be read in lieu of the report. Is there objection? [After a pause.] The Chair hears none.

The Clerk read the statement.

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, 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 and 9.

That the House recede from its disagreement to the amendments of the Senate numbered 1, 2, 6, 7, 8, 10, 11, and 14, and 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 sum proposed insert "$37,500"; and the Senate agree to the same.

Amendment numbered 5: That the House recede from its disagreement to the amendment of the Senate numbered 5, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$8 per day"; and the Senate agree to the same.

Amendments numbered 12 and 13: That the House recede from its disagreement to the amendments of the Senate numbered 12 and 13, and agree to the same with an amendment as follows: In lieu of the amended paragraph insert the following:

"LEGATION BUILDING AT SAN SALVADOR.

"For the erection at the city of San Salvador on ground presented by the Government of Salvador of a suitable building, to be constructed of reinforced concrete, for the use of the legation to Salvador, both as a residence of the minister and for the offices of the legation, $50,000, or so much thereof as may be necessary, said sum to include $10,000 for the purchase of the necessary furniture for the building: *Provided*, That the President is hereby authorized to accept on behalf of the United States the plot of ground graciously presented by the Government of Salvador as the site for the erection of a legation building or buildings."

And the Senate agree to the same.

H. D. FLOOD,
J. CHARLES LINTHICUM,
Managers on the part of the House.
LEE S. OVERMAN,
JOHN F. SHAFROTH,
W. L. JONES,
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. 9314) making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919, submit the following written statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report as to each of the said amendments, namely:

On No. 1: Corrects a total in the bill as proposed by the Senate.

On No. 2: Fixes the rate of not exceeding 10 cents per mile to diplomatic and consular officers in going to and returning from their posts as proposed by the Senate.

On No. 3: Appropriates $37,500 for the International Boundary Commission, United States and Mexico, instead of $47,500 as proposed by the House and $25,000 as proposed by the Senate.

On Nos. 4 and 5: Strikes out the per diem allowance for the commission on the boundary line work, Alaska and Canada and the United States and Canada, as proposed by the Senate, and fixes the subsistence allowance of the commissioner when absent from Washington on official business at $8 per day as proposed by the Senate instead of $6 as proposed by the House.

On No. 6: Fixes the allowance for actual expenses of the judge of the United States Court for China when sessions of the court are held at other cities than Shanghai at $5 per day as proposed by the Senate instead of $10 per day as proposed by the House.

On No. 7: Appropriates $25,000 for the International High Commission as proposed by the Senate.

On No. 8: Strikes from the bill the provision authorizing a representative of the International Geodetic Association to vote with representatives from other nations as proposed by the House.

On No. 9: Restores to the bill the provision as proposed by the House making certain unexpended balances of appropriations for the Fifteenth International Congress available until expended.

On Nos. 10 and 11: Limits the pay of post allowances to consular and diplomatic officers to those stationed in belligerent countries and countries contiguous thereto, and reduces the appropriation therefor from $800,000, as proposed by the House, to $700,000, as proposed by the Senate.

On Nos. 12 and 13: Appropriates $50,000 for the public building at San Salvador, $10,000 of which to be expended for furniture therefor, and makes certain verbal corrections in the bill.

On No. 14: Appropriates $2,000 for an addition to the legation building at Peking, China, as proposed by the Senate.

H. D. FLOOD,
J. CHARLES LINTHICUM,
Managers on the part of the House.

The SPEAKER. The question is on agreeing to the conference report.

Mr. WALSH. Mr. Speaker, will the gentleman from Virginia yield for a question?

Mr. FLOOD. Certainly.

Mr. WALSH. Will the gentleman state the difference in the amounts for this building at San Salvador between, when it passed the House originally, and what is now provided in the report?

Mr. FLOOD. There is $10,000 difference in the appropriation. It is $10,000 less. The amendment as it was finally

adopted by the House was not very clear, but what we intended to do was to appropriate $60,000 for the building and furnishings. The conference report provides for $50,000, $10,000 to be used for the furniture and $40,000 for the building—a difference of $10,000.

Mr. WALSH. Did not the original bill as passed by the House carry $60,000 for the building and $40,000 for the furniture?

Mr. FLOOD. The amendment adopted by the House was not clear, but the purpose of the House was to appropriate $60,000, not $100,000, and that was an increase over the reports of the committee, but our purpose was to appropriate $60,000 for the house and all.

Mr. WALSH. And the conferees have agreed upon $50,000?

Mr. FLOOD. Yes.

Mr. WALSH. This was the one that was to be erected in that ant country?

Mr. FLOOD. They had to have concrete.

Mr. WALSH. They had to have concrete on account of the appetite of the ants?

Mr. FLOOD. Yes.

Mr. GILLETT. Will the gentleman yield?

Mr. FLOOD. Yes.

Mr. GILLETT. I notice that the minority representative did not sign the conference report. Did he not agree to the report?

Mr. FLOOD. He was not present.

Mr. GILLETT. He did not object?

Mr. FLOOD. I do not think so. He was for all the items as they went through the House.

Mr. BRITTEN. Will the gentleman yield for a question?

Mr. FLOOD. Yes.

Mr. BRITTEN. I was not paying strict attention to the reading of the report. I think I heard something about a legation building at Peking, China.

Mr. FLOOD. Just an improvement.

Mr. BRITTEN. Was that carried in the House bill?

Mr. FLOOD. No.

Mr. BRITTEN. It was inserted in the Senate. How much money?

Mr. FLOOD. Two thousand dollars.

Mr. BRITTEN. I would like to say that the building is in a bad state of repair, with wooden bathtubs full of slivers, a building falling apart and the foundation rotting away.

Mr. FLOOD. The Department of State made no representation to the House in reference to the improvements, but did make them to the Senate, and asked for $2,000 for improvements, which was allowed by the Senate and concurred in by the House conferees.

Mr. WALDOW. Will the gentleman yield?

Mr. FLOOD. I will.

Mr. WALDOW. In changing the appropriation for building at San Salvador, you have not changed the specification of the building itself in any way? Is it still going to be a concrete building?

Mr. FLOOD. Yes.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken, and the conference report was agreed to.

RIVERS AND HARBORS.

Mr. SMALL. 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 river and harbor bill.

The SPEAKER. The gentleman from North Carolina moves that the House resolve itself into the Committee of the Whole House on the state of the Union for the further consideration of the rivers and harbors bill. The question is on the motion of the gentleman from North Carolina.

Mr. WALSH. Mr. Speaker, I ask for a division.

The House divided; and there were—ayes 57, noes 0.

So the motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the further consideration of the bill H. R. 10069, with Mr. BYRNS of Tennessee in the chair.

The CHAIRMAN. The Clerk will report the bill by title.

The Clerk read as follows:

A bill (H. R. 10069) making appropriations for the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. SMALL. Mr. Chairman, it was agreed that the gentleman from Iowa [Mr. KENNEDY] would use some time.

MESSAGE FROM THE SENATE.

The committee informally rose; and Mr. WATSON of Virginia having taken the chair as Speaker pro tempore, a message from the Senate, by Mr. Young, one of its clerks, announced that the Senate had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 2316) to promote export trade, and for other purposes.

RIVERS AND HARBORS APPROPRIATION BILL.

The committee resumed its session.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 30 minutes to the gentleman from New York [Mr. DEMPSEY]. [Applause.]

Mr. DEMPSEY. Mr. Chairman, this rivers and harbors bill comes before the House at the most important time for such a measure in the history of the country. In the fall of 1917, before the stress of the added freight from war conditions was felt at all, our railroads had failed in their effort to transport the ordinary business of the country. What was true of the Union generally was peculiarly true of the State of New York.

Along the northern boundary of the United States there lie the Great Lakes, the greatest bodies of inland water in the world, all leading down to and ending at the city of Buffalo, and then from Buffalo across the State of New York the great Empire State has constructed the Barge Canal, which ends at Albany and is connected with New York Harbor by the Hudson River.

We are all told to save food, that that will win the war; and we are told also not to eat bread made from wheat flour because we here can eat bread made from corn meal and other substitutes, and the wheat flour can be transported and used, as they are accustomed to using it, on the other side. Most of the wheat comes down through the Lakes to Buffalo, and when it reaches Buffalo, what do we find? We find that that great port, with a tonnage of 18,000,000 tons annually, has so narrow an entrance, only 200 feet, that navigators are afraid to bring their big boats in, and they end and begin each trip in terror of disaster.

However, the War Department and the committee said to us, when we urged that situation, that they had removed one obstacle to navigation at Buffalo—the Lackawanna coal trestle, and that we could wait another year to see what the effect of that was and what we needed, and although a year is a long time, and although commerce is rapidly growing, and although the Barge Canal will be used for the first time and increase tonnage immensely, we have acquiesced in that decision, and are willing to wait another year and run these constantly increasing perils.

But down at the other end of the State of New York there is quite a different situation. Along in May of last year, after war had been declared, the Secretary of the Navy wrote a letter to the chairman of this committee, and I want to read that letter:

Hon. JOHN H. SMALL, M. C., NAVY DEPARTMENT, *Washington.*
Chairman Committee on Rivers and Harbors,
House of Representatives, Washington, D. C.

MY DEAR MR. SMALL: In a letter of May 7, 1917, regarding the approaches to the navy yard at New York, I quoted from the General Board as follows:

"Deepen, widen, and straighten channels through Hell Gate to Long Island Sound to a depth of 35 feet, and eventually to 40 feet, with a channel adapted to the use of vessels up to 1,000 feet in length."

While deepening and straightening the channel through Hell Gate will be of unquestioned advantage to the commercial interests of the country, the strategic value to the Navy is so great that I believe consideration should be given to securing this channel of 40 feet depth at the present time. While in the beginning a concession was made to obtain a depth of 35 feet and ultimately 40 feet, it is considered that it would be highly desirable, both from an economical standpoint and from a strategical standpoint, to have the work, after it was once begun, continued until the depth of 40 feet had been obtained throughout, and the straightening of the channel, in order to allow the easy and free passage of large ships as well as to prevent the formation of tidal eddies and currents, had been accomplished.

It will be readily understood that with a 40-foot depth of channel leading to the navy yard from the south and an equal depth through Hell Gate would practically double the strength of our fleet if concentrated in Long Island Sound, for the reason that the exits at Ambrose Channel and Montauk Point are so far apart that it would take double the force to contain our fleet in these waters in order to guard the outlets at both of these points to prevent the egress of our fleet.

A deep channel through each entrance is desired in order to permit of the passage of vessels at all stages of the tide and without undue risk to the large and very expensive battleships of the near future, and also to permit the passage of these vessels through either entrance after having been injured in an engagement off the coast in the immediate vicinity. New York, being the center of commercial interests on our coast and the great commercial activity and wealth extending particularly to the northward of this point, increases the probability of an engagement somewhere in the vicinity of the eastern end of Long Island Sound. This also increases the desirability of having a deep channel through Hell Gate in order to carry a vessel or vessels safely through that may have been injured in an engagement in the vicinity of Block Island or Montauk Point.

Sincerely, yours, JOSEPHUS DANIELS.

That was transmitted with a letter from the Secretary of War, which also indorsed the immediate 40-foot project, and requested the committee to make an amendment to insure 40 feet at once instead of 35 feet now and 5 more later. That letter reads as follows:

WAR DEPARTMENT,
Washington, May 15, 1917.

Mr. JOHN H. SMALL,
Chairman Committee on Rivers and Harbors,
House of Representatives.

MY DEAR MR. SMALL: In the river and harbor bill, which I ventured to send for the consideration of your committee and for introduction into the House, I undertook, as you know, to provide for the continuance of necessary projects and the introduction of such new projects only as were directly concerned with the national defense in the present emergency. Many very desirable projects had to be omitted in view of the situation, and I have desired as far as possible to refrain from suggesting additions to the program contained in the bill. I have, however, taken up with the Secretary of the Navy the situation respecting the channel through Hell Gate in the harbor of New York, and after a full discussion of the subject the Secretary of the Navy has written you a letter in which he recommends that the bill be amended so as to provide for a 40-foot channel at that point. The bill under consideration looks to a present depth of 35 feet, and my judgment at the time the bill was drawn was that while the ultimate depth of 40 feet was contemplated the present improvement to 35 feet was all that could be at this time undertaken. As the result of mature reflection and in view of the recommendation of the Secretary of the Navy, I beg leave to concur in the suggestion that an amendment be introduced providing for the present increase in this proposed depth to 40 feet. In other words, I am seconding the recommendation of the Secretary of the Navy, and I trust that you and your associates on the committee will find it possible to make this one change in the proposed measure.

Cordially, yours,

NEWTON D. BAKER.
Secretary of War.

In response to those two letters from the Secretary of the Navy and the Secretary of War the bill on August 8 was passed containing the following provision:

East River, N. Y.: For improvement in accordance with the report submitted in House Document 188, Sixty-third Congress, first session, and for a 40-foot channel through East River and Hell Gate, in accordance with the report submitted in House Document No. 140, Sixty-fifth Congress, first session, $1,250,000.

Now, gentlemen, let us bear in mind the order of events. The Secretary of the Navy and the Secretary of War concur in a letter in which they ask the immediate securing of a 40-foot channel through Hell Gate, and they ask the committee to frame the proper amendment so that that depth may be secured instead of 35 feet at once and 5 feet later. In response to that suggestion this House and the committee of the House passed the amendment which I have read. And then what followed? After the Secretary of War and the Secretary of the Navy had both recommended the immediate prosecution of the 40-foot project the War Department construes the act which we have drawn under their direction, which we have drawn in consultation with them, to act in accordance with those letters—the War Department construes this amendment, which they have helped to prepare to carry out the intention of the letters, as one which means a 35-foot project now and a 40-foot project later on.

This would be astonishing, it would be amazing, if it were fiction. It is all the more astonishing and amazing to find that it is true, and the most astounding part of it is that the representative of the War Department, Col. Newcomer, a man who stands well in his profession and with this committee, and of whom I have only kind things to say, comes before the committee and displays an absolute ignorance of all the facts contained in these letters.

In the first place, the Secretary of the Navy says that it is of the utmost importance that we have two exits—the one at Montauk Point by way of Hell Gate and the other through Ambrose Channel; that we have those two exits and entrances for the vessels of our fleet, because they may be damaged; there are likely to be engagements there, and the fleet ought to be able to come in through Hell Gate as well as through the other channel.

Mr. COOPER of Wisconsin. What is the date of the letters?

Mr. DEMPSEY. The two letters were transmitted in May. The amendment, which was adopted in accordance with the letters, was passed in August.

Mr. COOPER of Wisconsin. Last year?

Mr. DEMPSEY. Last year, 1917; and the testimony to which I am now going to refer, the testimony of Col. Newcomer, was given in 1918. He absolutely knows nothing about it. He testified to the contrary of both letters. I am going to call attention to his testimony. I examined him before the committee. I read:

Mr. DEMPSEY. What is the draft of the largest battleship, * * *?

Col. NEWCOMER. The heaviest draft is about 32 to 33 feet. That is the normal boat in normal condition. Of course, damaged they might draw more.

Mr. DEMPSEY. Suppose that one of those boats was damaged in the sound and wanted to get in that way to the Brooklyn Navy Yard, might it not draw very easily under those conditions 37 feet?

Col. NEWCOMER. I should think that is quite conceivable.

Mr. GALLAGHER. What is the tide there?

Col. NEWCOMER. About 5 feet, giving 40 feet at high tide.

Mr. DEMPSEY. But supposing there was an enemy ship pursuing our ship in the sound?

Col. NEWCOMER. I think the enemy would not get that far. We have fortifications in the sound that the enemy would hardly pass.

* * * I understand also that it is a matter of importance to the Navy to get that 35 feet available, not for handling disabled battleships, but for handling good battleships for strategic reasons, and they want to get that as soon as they can.

Mr. DEMPSEY. How long does the flood tide last, and at what times does it occur—that is, the full flood tide?

Col. NEWCOMER. That occurs substantially twice a day, and it shifts at all times in the day at different times of the year.

Mr. DEMPSEY. How long does it stay at the highest mark?

Col. NEWCOMER. It lasts about an hour.

Mr. DEMPSEY. Then they have 2 hours of high water during each 24 hours; so that if a battleship was disabled it might have to wait 11 hours before it could get in.

Col. NEWCOMER. I do not think that you will find that the Navy is fearing any trouble with their battleships lying in here—

And he pointed to the Sound.

Contrast that testimony with the letter of the Secretary of the Navy which I just read, which says that the great wealth of the United States is located north of Long Island Sound, so that an engagement is likely to happen there; that we must have two exits for battleships; that we must have those entrances and the channels 40 feet deep at once, in order to enable the great battleships that we are now constructing to come in through Hell Gate, and it displays absolute unfamiliarity with the facts, which render it necessary that a depth of 40 feet be obtained immediately. I am not criticizing the colonel. He is simply an Engineer officer. I am coming to that later. We ought not to put upon his shoulders the responsibility of deciding all these questions. I am not criticizing Col. Newcomer. I am criticizing the committee, ourselves. We have a good committee. We have an able and diligent chairman. We have members who attend the meetings. Why should we not adopt a policy of our own? Why should we not have something to say about these matters? Why should we leave them all to a man who obviously is unable to grasp the details and weave them together? Here he comes in and testifies in direct contradiction of both of these letters, which were written just before the amendment was adopted, and both of them written in order to secure the adoption of the amendment. The Secretary of War specifically pointed out that he wanted this single amendment adopted, so that we would have a 40-foot channel immediately, in conformity to the wishes of the Secretary of the Navy. And then Col. Newcomer gives this testimony.

Let me point out another piece of testimony upon this question. Here are these two letters, urging logically, and convincingly showing the necessity for this 40-foot channel immediately. Yet on the 4th of January, in the hearings at page 6, what does Col. Newcomer say about it? He testifies as follows:

We understand that the question of when the 40-foot depth should be provided should be left to the future entirely; in other words, whenever circumstances develop—

They might, you know, at some time. He said it is possible. Of course, he did not know anything about this letter of his chief. He did not know anything about the letter of the Secretary of the Navy. He says it is possible that circumstances might develop—

which indicate a need for that, then the estimates could be submitted under authority already given, and Congress will determine, of course, whether it is ready to proceed with the 40-foot project.

Now, gentlemen, that is the astonishing state of the testimony upon which the committee has failed to provide for a depth of 40 feet at Hell Gate, the work to be done at once. And I am calling attention, first, to the right of this House to have its laws obeyed when solemnly enacted upon due consideration, for a most important purpose, to which their attention was directed by the Secretary of the Navy and the Secretary of War. I am calling attention to the right of the House to have legislation obeyed when enacted under such circumstances, and of such grave import. After we had done what the Secretary of War asked, after we had done that which the Secretary of the Navy said was imperative, a colonel of engineers construed the act contrary to its plain language, contrary to the two letters, as not meaning what it says upon its face, but as meaning that we should have a 35-foot channel, and if eventually Congress so determines, a 40-foot channel. If circumstances should perhaps or peradventure arise, and there became evident a condition—which apparently he does not anticipate at all—then, under those very remarkable circumstances, if we enact future legislation, we are to have 40 feet.

The thing to which I direct attention is this: A year ago, when I had the pleasure of speaking to this House, I said I did not agree with the idea that engineers should tell the committees of this House just what kind of legislation they should

pass. I said that if business men were going to build a railroad or develop a waterway they would call upon engineers to advise them as to the feasibility and cost of the project, but they would not dream of taking their advice about the business aspects of it. And yet under this rule adopted by the committee, and adopted for good purposes, the deliberate action of Congress is nullified. Understand, I am not criticizing the committee. I say that the committee and its very able and distinguished chairman adopted this rule with the best motives and for the highest purposes. They believed that they were adopting that policy in order to conserve expenses during a time of financial stress. But in what has it resulted? Why, it has resulted in 21 men, chosen from varied walks in life, with wide and extended experience, whose judgment would have been valuable upon these questions, waiving their judgment in favor of one subordinate employee of the War Department, a gentleman of standing in his profession, whose judgment would be good and excellent upon engineering projects, but I believe that there is not a member of the committee whose judgment would not be fully as valuable, if not more valuable, upon any business proposition. How infinitely more valuable would the combined judgment of the committee be.

Members are sent here from the 435 districts covering the entire country, because the people believe that they will be able to conduct the legislative business of the country wisely; that they will provide for its protection in war and for its happiness and prosperity when at peace. The people who sent us never dreamed that we would surrender the right to legislate to any executive department, much less to an employee. The country needs, in this time of stress and difficulty, the continued exercise of the combined wisdom of this House. The Executive needs us and will need us, and we should exercise diligently and conscientiously the legislative duties which we were sent here to perform. We have no right to delegate them or to yield them to anyone else.

Mr. COOPER of Wisconsin. Will the gentleman yield for a question?

Mr. DEMPSEY. I yield to the gentleman from Wisconsin.

Mr. COOPER of Wisconsin. What would happen to one of our ships, injured in the way which has been described, near the entrance to that sound, if the 40 feet of water were not there? That is a practical question.

Mr. DEMPSEY. I am going to answer it in just that way. I developed it subsequent to this letter of the Secretary of the Navy. The Secretary of the Navy says in this letter that this is the most probable place for a naval engagement to take place. Col. Newcomer says that if we have 35 feet it would not do if a battleship were disabled, because it would undoubtedly draw 37 feet. Now, they have there a tide of 5 feet, but it lasts only one hour, twice a day; so that if a battleship were disabled it might have to wait 11 hours, exposed to the fire of the enemy, exposed to foundering, exposed to going to pieces, without being able to get in. The Secretary of the Navy directed attention to that condition and asked that it be remedied. The House, in accordance with that request, remedied it; and then a subordinate official of the War Department, whom I am not criticizing personally, but who can not do everything and can not know everything, not having these letters in his mind at all, construed our provision, made to meet these conditions, as doing exactly the opposite thing. And then the committee falls into his present recommendation, ignoring the letters of the two Secretaries, ignoring all that occurred. These letters were put into the RECORD last year when we passed the bill. All the circumstances and history of the case were ignored because Col. Newcomer says he does not think it is necessary, and he is sure there will not be any battle where the Secretary of the Navy says there is likely to be a battle, because Col. Newcomer says there are fortifications there which would prevent the enemy from coming in, and the Secretary of the Navy says directly the contrary.

Now, I say, gentlemen, we are providing for war. It is a most serious business. We have an able committee with an able chairman. We have members who are conscientious—because the members of the Rivers and Harbors Committee are conscientious—and they attend the committee hearings. If they had taken this matter into consideration, this misinterpretation of the law would not have stood for one moment.

Now, let us take the situation in the city of New York. Ninety-one million tons of cargoes pass through the city of New York, and the values annually run way up into the billions of dollars.

I believe, and we all do, that the shipping of this country is going to be vastly increased during the coming year. We all expect that we are going to have new ships with which to carry all kinds of supplies to the allies, with which to transport our own troops and munitions abroad, and the strain on the harbor at the city of New York at the end of Hudson River, at the foot of the Great Lakes, the strain on the harbor of the seven great trunk railroad lines entering there is going to be increased enormously. If there is one place in the whole world in which America is interested, if there is one place on which the eyes of the United States should be directed in the shipping question, it is that great metropolis of which we are all so proud.

I voted yesterday morning, and I intended to vote—and I voted and will vote with full knowledge—that we should have 40 feet in Charleston Harbor, with only 3,000,000 tons of tonnage, and yet we hesitate to give 40 feet to New York, with 91,000,000 of tonnage. Forty feet to Charleston Harbor, with only a few million dollars of cargo, and we hesitate to give 40 feet to New York, with the value of its cargoes running up into the billions. Now, so far as the State of New York is concerned, we do not know at the present time any North or any South; we do not know any West or any East. We know only the United States. [Applause.]

We ask the gentlemen of this committee, and we ask the gentlemen of the House, to look at this matter in the same way; and we ask it to right an obvious wrong; we ask you to do that which should have been done in committee, and I trust that this committee and the chairman of the committee will recognize the necessity of this amendment and not force an individual Member to propose it on the floor, or, if it is proposed, that the committee will adopt it.

Why, New York is doing its part, and far more than its part, at this time of national stress. The first liberty loan was $3,032,729,000. And how much of that do you suppose the great Empire State patriotically and promptly took? It took $1,108,067,000; one-third of the entire issue was absorbed in that State.

The second liberty loan was $4,617,532,000, and the State of New York took $1,413,045,800, again about one-third of the entire issue.

Of the third liberty loan, the city of New York alone is allotted $900,000,000 and to-day the leaders of the campaign in the present loan telegraphed Washington saying:

> We will not take simply our allotted quota, we will not take alone $900,000,000, but we will take a billion and a half dollars.

[Applause.]

Our great State, too, has contributed $29,270,000 to that greatest of all war-time philanthrophies—the Red Cross—which is doing and will do more to mitigate the suffering and horrors of the war than all other agencies combined. It reaches every one of our soldiers and sailors here and abroad. It diverts and entertains them when in camp; it relieves their sufferings on the battlefield; and it smooths their pillows and nurses them back to health when wounded and in the hospital.

New York has not given of its money alone. It has contributed as generously of its young manhood—349,352 men have enlisted in the Regular Army since the declaration of war, and 38,267 of them came from the State of New York; 150,000 men have enlisted in the Navy since the outbreak of hostilities, and 12,900 of them have been contributed by New York State.

And yet, gentlemen, with Charleston with 40 feet, with Norfolk 40 feet, with the Secretary of War and the Secretary of the Navy demanding that we have 40 feet immediately, with this House having passed the amendment upon that recommendation, believing it was clear and could not be misunderstood, a subordinate in the War Department interprets it to mean 35 feet, and says: "Why, sometime in the future it may be, perhaps, that Congress may see fit to legislate for 40 feet." And the committee not inquiring, doing what it believes to be their patriotic duty, adopted the present bill of the War Department; but it is not its bill, it is the bill of a subordinate. The letter of the Secretary of War has never been changed; the letter from the Secretary of the Navy has never been withdrawn or changed. Col. Newcomer says there is no danger, and the Secretary of War and the Secretary of the Navy say that there is acute danger. Col. Newcomer is not in touch with the department. I say, in view of the fact that the honor of the House is involved, in view of the fact that when we pass legislation its terms should be obeyed and carried out, in view of the fact that Col. Newcomer is mistaken in every item of his testimony—I examined him at length, and the other members of the committee did not know what I had in mind; but I had these facts in mind, for I thought the temper of the committee apparently was to follow the colonel of engineers instead of the Secretary—and I thought the proper place to call attention to it was here on the floor of the House, where a great wrong could be righted, where the patriotism, loyalty, and devotion of the great Empire State could be recognized, where

we could say that there was no North, there is no South; and that New York with its 43 votes will vote for Charleston; with its 43 votes will vote for Norfolk; and New York says that we have 91,000,000 of tonnage, worth billions of dollars, and we say that we ought not to be left without this protection to our fleet.

It is a serious thing, with all the great wealth of that city scattered along the Sound. The Secretary says that a battle may occur there at any time, and is most likely to occur, and why should not we have protection, so that a fleet can come and go, so that it can come into the navy yard and maneuver and fight strategically through two entrances instead of one?

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I yield the gentleman two minutes more.

Mr. DEMPSEY. I believe in that way you will be doing what the last Congress intended to do. Now, I am going to speak about other matters in regard to New York, but they are of minor importance. What I have been directing your attention to is vital and goes to the life, salvation, and safety of the great metropolis of this Republic.

I am going to speak of some other things, but they are of less importance. I am going to direct the attention of the House to some other improvements in the city of New York when it comes to the amending stage of the bill.

Mr. BOOHER. Mr. Chairman, the gentleman says that he has an amendment to propose so far as this channel is concerned?

Mr. DEMPSEY. Yes.

Mr. BOOHER. Will the gentleman please read it, so that we may have it before us?

Mr. DEMPSEY. It is to strike out the numerals "$2,200,000," in line 24, page 2, and to insert in lieu thereof the following:

Six million dollars, and the Secretary of War is hereby directed to prosecute the work of improvement with a view to securing a depth of 40 feet in the channel through East River and Hell Gate immediately.

Mr. BOOHER. Does the gentleman remember the testimony of Col. Newcomer that $2,000,000 is all that could be expended profitably at this time?

Mr. DEMPSEY. Yes; I remember the testimony of Col. Newcomer, and I remember that in connection with his other testimony. He testified also that there was no danger of any battle in Long Island Sound; that the fortifications would prevent that, in direct conflict with the testimony of his own chief and the Secretary of the Navy. I remember also that he testified that the 35-foot channel was all that was required by the act, and that that testimony was given, although he knew or should have known that these two letters had been written asking for 40 feet immediately. I have in mind also the testimony of Col. Newcomer that the East River channel through Hell Gate would not be used by the larger ships, which is in direct conflict with the statement of the Secretary of the Navy that we need the 40-foot channel for the use of our largest battleships. I had in mind all of the testimony of Col. Newcomer, and while I regard him as a high-minded, honorable gentleman, I think that he is overworked and is liable to make many mistakes. I believe that we can spend the money to make this improvement. I believe that we can make the improvement and have it for use in this war. I believe that it is imperative that we do have it for this war. I believe that Congress intended we should have it, and I believe that this time it should be written in such plain language that he who runs may read, and there may be in the future no misinterpretation, no legislation by interpretation, but simply and solely obedience to the statute and enacted law. There will be a 40-foot channel, except at Hell Gate, as appears from the following testimony of Col. Newcomer, viz:

The CHAIRMAN. So, omitting any reference to the width of the channel, a depth of 40 feet exists (between the upper bay and Long Island Sound) except at Hell Gate and except at Diamond Reef, and the improvement at Diamond Reef is now under construction to a depth of 40 feet?

Col. NEWCOMER. Yes, sir.

A channel is no deeper than its shallowest part. It would be a waste of the work of excavating to a depth of 40 feet at all other points to secure 35 feet only at Hell Gate. This waste should be avoided and this much needed 40-foot channel should be obtained immediately. It will be worth many times its cost in the added protection it will afford to billions of property in and near New York and to the millions of people living there.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 15 minutes to the gentleman from Massachusetts [Mr. TREADWAY].

Mr. TREADWAY. Mr. Chairman, as a former member of the Committee on Rivers and Harbors I wish to congratulate the present committee on the bill which is now under consideration before the House. It seems to me that the committee has carried out the express wishes of some of the Members in the last session, wherein we endeavored to have the bill made a war measure. Certainly it bears every resemblance of being of that nature at the present time, and it is a great gratification to me to look over the bill, as I have casually, and find that there has been removed from it by the committee the character of items that caused the criticism some of us made against former bills. It is the first one, I think, of the kind that the House has had before it, and I especially wish to congratulate the chairman upon the auspicious way in which he has conducted the difficult task of the chairmanship of that committee. The work of river and harbor improvement throughout the country is one of great value to the Nation, and it is possible to have a bill of a kind that avoids the nature of criticism that has been offered against it previously. I am glad, indeed, as I say, to be able to most heartily approve of the action of the committee at this time.

The short time that I have remaining I wish to use in reference to the order which was adopted by the House this morning in connection with the soldiers' mail. I introduced last week a privileged resolution, which the House has just recently adopted, asking for certain information from the Postmaster General. The resolution is as follows:

House resolution 296.

Resolved, That the Postmaster General be requested to furnish the House of Representatives, if not incompatible with the public interest, information relative to the amount of mail matter which has been addressed to members of the American Expeditionary Force during the past 30 days of the class which has now been restricted in transportation; also information relative to the amount of mail matter that has been sent to members of the American Expeditionary Force by the Committee on Public Information, how it has been distributed, and whether mail matter of this kind has been restricted in further transportation.

At the time of introducing the resolution I addressed a letter to the Acting Secretary of War asking for information relative to the amount of parcel-post packages that were being sent to soldiers across the seas, and the reason for the restriction. The following is a copy of the letter:

MARCH 28, 1918.

Hon. BENEDICT CROWELL,
The Acting Secretary of War, Washington, D. C.

MY DEAR MR. SECRETARY: According to an official announcement, I understand an order has recently been issued restricting relatives of members of the American Expeditionary Force sending to them packages by parcel post. I would greatly appreciate information relative to the necessity of the issuance of such an order.

My correspondence indicates that such parcels have been of great comfort both to the senders and recipients. I respectfully ask for full information in the premises.

Yours, very sincerely, ALLEN T. TREADWAY.

As you doubtless are aware, the order of the Post Office Department was issued March 29 and went into effect April 1. That has since been postponed in actual operation until April 15. I sincerely hope that still further postponements, if not entire withdrawal, of that order will seem advisable to the Post Office Department. I have received no information relative to the amount of parcels post or mail matter being sent abroad by the Committee on Public Information, but I am reliably informed that there has been a very large amount of that class of mail matter sent over. My criticism is that that class of mail matter is allowed to be sent to boys overseas, and for what reason? No one knows. They are getting all they want of the knowledge of the war situation and conditions first handed without information being forwarded to them by the so-called Creel Bureau here in Washington; but it is a well-known fact that great quantities of that class of matter has been placed in their hands overseas. Mr. Chairman, if the mails are being clogged by any kind of material and any supplies are being delayed in transportation that are necessary, let us, for goodness sake, stop that kind rather than the home packages from the parents, and brothers, and sisters, and relatives, and friends of the boys in the trenches. [Applause.] If there is one thing that will encourage the spirit of the brave boys over there, it is the feeling that those at home are thinking of them and are remembering them by these little mementoes, whether useful or otherwise. [Applause.]

I fail to see, Mr. Chairman, the reason for the order restricting parcel-post mail to the soldiers, provided this other class of mail to which I refer is allowed to continue to occupy space on transports. Further, the order that has been promulgated by the Post Office Department is so absolutely impossible and impracticable that it would be better to tell the parents and the boys in the trenches outright that they can not receive packages from home rather than use this sort of postal departmental subterfuge, as the order very plainly is. It provides that in order to receive packages from home the soldier must make application to his commanding officer that he desires such an article or articles and that his written request has been approved by his commanding officer and duly forwarded

to this country and then is indorsed by a red-tape notice as follows:

This parcel contains only articles sent at approved request of addressee, which is inclosed.

In making public this announcement, the Official Bulletin of Mr. Creel carries the news on the front page of his daily publication under big headlines, and states "wide publicity is requested" of the new order concerning the shipment of parcels to soldiers.

I am wondering how many boys will receive those welcome little remembrances of the dear ones here under any such regulation as this. Could there be anything more absurd than that sort of permission?

Mr. SMALL. Will the gentleman permit an interruption?

Mr. TREADWAY. Certainly.

Mr. SMALL. I am not sure in my recollection, but is it not true that Gen. Pershing has recommended that the distribution of the mail to our expeditionary forces be taken over by the War Department?

Mr. TREADWAY. I understand, Mr. Chairman, that after the mail reaches the other side our Postal Department avoids any further responsibility by saying that this mail has been transferred to the war clerk, or person with some such title as that. In other words, after the mail is taken across the ocean, they seem to want to shake the responsibility of delivering it to the boys. That is the amount of it.

Mr. BLACK. Will the gentleman yield?

Mr. TREADWAY. Yes, sir.

Mr. BLACK. In our hearings before the Committee on the Post Office and Post Roads we had up this matter of the distribution of mail after it got to the front, and the official authorities stated to our committee that it was the wish of the military authorities that, after the mail reached the boys at the front, that it be distributed by the military authorities. That was the testimony.

Mr. TREADWAY. That is very proper; and I do not think there would be any criticism of that method at all, provided it will expedite delivery to the boys.

Mr. SMITH of Michigan. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. SMITH of Michigan. I would like to know whether or not in the gentleman's investigation—I did not hear all of his remarks—he ascertained why there is so much delay in the transportation of mail from this country before it is delivered?

Mr. TREADWAY. I can not positively answer that question, because it was not in the line of the inquiry I was making; I was inquiring the reason for the adoption of the order which was given out but which has now been postponed from April 1 to the 15th, and will go into effect at that time. I received a very courteous letter from The Adjutant General, stating the amount of mail that was being transported to the soldiers, which is of a very large amount, and I will insert Gen. McCain's letter in connection with my remarks. The letter is as follows:

WAR DEPARTMENT,
THE ADJUTANT GENERAL'S OFFICE,
Washington, April 5, 1918.

Hon. ALLEN T. TREADWAY,
House of Representatives.

MY DEAR MR. TREADWAY: Referring to your letter of March 28, 1918, requesting information relative to the necessity of the issuance of an order restricting relatives of the members of the American Expeditionary Force sending packages to them by parcel post, I have the honor to inform you that the amount of mail, parcel post, and boxes, going to our troops in France was growing out of all proportion to the number of soldiers serving abroad. A committee embracing all departments concerned, investigated this subject and found that up to date the amount of such freight amounted to an average of 250 tons per week. This was fast interfering with the handling of urgent war supplies. It can readily be seen that with any considerable increase in the number of men abroad it would have very seriously hampered the prosecution of the war.

Very truly, yours,

H. P. MCCAIN,
The Adjutant General.

But that does not cover the point I am speaking of, namely, the relationship between the people here at home and the boys at the front. I have a large number of letters that have come to me during the past week referring to the gratification of the boys at the front and the relatives of the boys at home at being able to send to them over there these little packages and comforts and so on that have been going. Not only is it a comfort to them, but it actually keeps the spirit of the boy encouraged, as I have already stated, and there should be the very greatest reason from a military standpoint to retain that right and privilege to the boys.

Mr. REAVIS. Will the gentleman yield?

Mr. TREADWAY. I will.

Mr. REAVIS. In line with the encouragement that mail from home gives the soldier I saw in an English paper in the library not long since that an order had gone out by the head of the English Army that if it was impossible to get both food and mail to the boys in the trenches to send mail.

Mr. TREADWAY. I thank the gentleman for the reference. While they must have physical support in the way of food, the mental and moral support of receiving mail is tremendous. Let me just read a few words of an extract from two letters to a father from a boy in the trenches:

Just received three boxes, lots of letters, and some papers and magazines. Box with cigars and candy; box with rock candy, bakers, and crackers; and box with fruit cake. Wow! Great! You can just believe, mother, I am some happy to-night.

From the same boy a few days later:

I wish you could see the pleasure every box brings to Mac and I, for we share the contents of each other's boxes. I think I have received every package you have sent—thanks to the splendid packing. Quite a few fellows get boxes that are pretty well battered up, but only one of mine has ever had as much as a string broken.

Now, there is satisfaction enough to pay for the transportation of those two boxes to that boy. [Applause.] And so I could continue, Mr. Chairman. Here is a letter from another father:

I have just read with great interest your championing of the rights of the boys who are at the front with reference to their mail matter, and I want to congratulate you on the stand you have taken. The boys at the front will appreciate this, and I am going to make it a point to cut out several of these clippings and mail them to the boys. It is a perfect crime the way the inefficient men in office in Washington are handling this situation. The idea of trying to rob these boys of the only comfort they can get because our Washington officials have not been efficient enough to prepare for this work. I am sure you will feel well repaid for your efforts, having performed such a pleasant task as you have undertaken.

And another, from the father of a young lieutenant:

I was very much pleased to know that you had asked for an investigation of the order forbidding the sending of packages to our Army in France.

One of my sons is a lieutenant in the — Infantry, and we have been sending him certain things regularly since he left here last September. While I can not say that these are absolutely necessary, I am confident that it not only gives pleasure to those who send but also a great pleasure to the men who receive such packages. Of course, if it is necessary to stop this as a military necessity, either on account of lack of transportation or any other reason, the decision will be accepted with good grace. I am glad to see, however, that before this is accepted you have asked for an investigation, and I trust that as a result some means will be found which will enable us to keep in touch in this way with our boys in France.

If it is true that the mails are being filled with literature sent out by the Committee on Public Information, there can be no question that it will be better to stop such literature and send other articles to the boys—

And so on indefinitely through these various letters.

Let me read you an anonymous letter from a mother. She signs herself "A mother of four sons in the Army." The letter is written from New York:

There can be no substitute for the appreciation known to come from a mother, father, brother, or sister's hand. Our boys leave us and go to the other side. We may or may not ever see them again. They go over for a period of two or three years. They are unlike the French or English, who are allowed from time to time, by reason of accessibility, to return again to their homes and see members of the family. With our boys it will probably be never, until and unless the war is over.

That is a very strong point to my mind, that these boys can not have the opportunity for an occasional furlough that the boys of our allies have. They are there permanently, and let us keep in touch with them the very best we can. [Applause.]

A little further on this letter says:

Who would deny that a boy in the trenches will not fight harder while life remains or will die happier when wounded and he feels that his last hour has come, if he has the appreciation warm within his heart of a package which has just come from mother, brother, father, or sister, as the case may be?

It seems to me such evidence as that, coming from the heart of a mother with four boys "over there" fighting for our cause to-day is more worthy of consideration than the request that room be made in the various transportation shipments in order that the Creel bureau may furnish a little more so-called information to those boys, which they do not need. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TREADWAY. Can I have three minutes more?

Mr. KENNEDY of Iowa. I yield three minutes more to the gentleman.

Mr. TREADWAY. Possibly there is no need of my using the time, Mr. Chairman. I have so many other extracts, but I will read this one in closing:

I know from their published letters that they need all the encouragement and sympathy that they can receive in the way of letters and useful remembrances from their home folks. My only son is "over there." I have not heard from him for many weeks, and I know what anxiety and longing for news of him means. If, then, lack of news from our dear boys means so much to those at home still enjoying and surrounded by the comforts of life, how much more must it mean to our brave lads battling in that seething hell in France, surrounded by the horrors and discomforts of this wicked war.

And so I might continue, Mr. Chairman. I hope as the result of the resolution the House has adopted to-day that we will be provided with the information which that resolution calls for, and know how much mail matter is being sent by a department of which, it seems to me, we can very readily spare the shipments and allow the space that they are occupying to be devoted to the space that these mothers ask, in order that they may be given the satisfaction of providing these little comforts for the boys "over there." [Applause.] I trust that the action of the House will be supplemented by a reversal of the stringent order that the Postmaster General has had adopted. [Applause.]

I yield back the balance of my time, and I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman yields back one minute. The gentleman asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

Mr. BOOHER. Mr. Chairman, I yield 15 minutes to the gentleman from Mississippi [Mr. CANDLER].

Mr. CANDLER of Mississippi. Mr. Chairman——

Mr. McKEOWN. Mr. Chairman, will the gentleman yield so that I may have a telegram read?

Mr. CANDLER of Mississippi. Certainly; with pleasure. The gentleman wishes to have a telegram about the liberty loan read.

The CHAIRMAN. The Clerk will report the telegram.

The Clerk read as follows:

HOLDENSVILLE, OKLA., *April 6, 1918.*

TOM D. MCKEOWN,
Washington, D. C.:

I am pleased to advise that Hughes County has gone over the top, having oversubscribed by $350,000 its full quota to the third liberty loan within one hour after campaign opened to-day.

W. T. ANGLIN, *Chairman.*

[Applause.]

Mr. BRITTEN. If the gentleman will permit, I would like to know who sent the telegram and where it is from. Some of the Members of the House did not hear.

Mr. McKEOWN. The telegram was from Mr. Anglin, from Holdensville, Okla., one of the counties where the antidraft riots progressed last summer.

Mr. BRITTEN. I thank the gentleman.

Mr. CANDLER of Mississippi. Mr. Chairman, I congratulate the gentleman from Oklahoma [Mr. McKEOWN] and his constituency on the information just conveyed to the House in this telegram.

The information from all over the country, as disclosed this morning, is that upon this, the anniversary of the entrance of the United States into this war, the people are responding with enthusiasm, not only with their plaudits but with their dollars from their pockets, to sustain the Government in the awful conflict in which we are now engaged.

This is the anniversary of the day on which the resolution was passed by Congress in which it was declared that a state of war existed. As the days of the year have passed and gone, it has been made more and more evident that there was no other course left open to us. Germany's purpose to overrun the countries across the sea and then invade our country is no longer denied by anyone who has investigated the facts. They had already fired upon our flag, sunk our ships, destroyed to a large extent our commerce, ordered us off the seas, and murdered our men, women, and children and were becoming more aggressive and defiant every day, having boldly notified our President of their intention to continue to sink our ships, destroy our commerce, and slaughter our people in violation of all law, human and divine. Of all civilized nations they are the only one who without hesitancy violate all agreements, all treaties, all laws, and all solemn obligations. With such a nation you can not temporize. There is only one course, and that is to destroy it. When the Kaiser is dead, when Germany is destroyed, when autocracy is suppressed and despotism annihilated, then and not till then will the peoples of the earth be safe, democracy established, liberty enthroned, and Christianity made secure. [Applause.] Therefore our task is to help in every way possible to accomplish this result, and we will accomplish it by the help of our God, the God who is always for justice and the right. We must not, we can not, and we will not fail. To fail would bring to us our first national defeat. From 1776 to the present, in all wars in which we have engaged, we have fought for liberty, and always for some sterling principle of right, and have been successful. We fight now for liberty and right, and we shall prevail. We will be victorious. [Applause.]

On this day, the anniversary of the passage of the resolution declaring that a "state of war" existed between the Imperial German Government and the United States of America I desire to put into the RECORD some letters from the boys themselves, showing how they feel about existing conditions. I want to read one, first, written by Dillard W. Brown, Company I, One hundred and fifty-fourth Infantry, Camp Beauregard, La., dated January 26, 1918. I clipped it from the Itawamba County News, published at Fulton, Miss., by Mr. Theron D. Harden. The letter is as follows:

To the people of Itawamba County:

I want to thank my friends for the many compliments I have received on the letter I wrote some months ago. I do not deserve any credit for it, but was glad to know they agreed with me on a few statements I made in that letter concerning this war.

Many changes have taken place since I last wrote you. The fields have lost their golden green, the forests their leaves, and all the beauties of nature have turned to barren waste.

Remember this was written in January, and we know that was true.

This is only a natural change and deserves little notice. The change that is most impressive to me is one that grieves my heart to think of and causes my life to be overshadowed with sorrow. Since I wrote you last several of my Itawamba County soldier friends have crossed death's chilly tide. They were loyal and patriotic and deserve much credit for what they did. It is true that they died of natural causes, but deserve the same honor as the boys who are being slain by the German bullets. If it was in my power, I would erect a monument to the memory of Aud Nabors, Oscar Sheffield, Audie South, Elmer Shields, and Lenard Crouch that would be visible to every mortal eye and place a bouquet of flowers on their graves as a token of love, that would perfume the air with the sweetest fragrance that was ever wafted across the red hills of Itawamba. To the bereaved let me say, "Grieve not; you have paid a debt to your country that deserves respect from every living person, a debt, not of money, but of blood." I realize that it is hard and seems unjust, but I take the same attitude as a Roman mother did. She expressed my viewpoint in this sentence, "I rather have 12 sons die for this country than have one die against it."

[Applause.]

I understand that a great number of boys are to leave for the training camp soon. Let me bid you Godspeed and ask of you to make the best soldier possible. I hope that you have viewed the situation as I have and feel at the same time that you are doing your duty. I viewed the situation in this manner and hope you will view it from the same standpoint. I took it for granted that my father was standing on a distant hill almost surrounded by a desperate enemy. I could see this enemy inflicting severe blows to his body, torturing him in a thousand ways, and taking his property that he had justly won. During this vision I could hear a faint voice calling for assistance. What do you think I did? Do you think I ignored that call; and if I should have, do you think I deserve the name of an honest son? The answer would be most surely, "No." After he had clothed me, fed me, and protected me, advised me, and brought me up into young manhood, should I have resisted the call I would have deserved the name traitor and not the name of a son. Every young American is facing this same situation, and I hope you will meet it as an honest, red-blooded American should. Your country has protected you, has enacted laws for your benefit, has established educational centers for your good, and has made it possible for you to live in a Christian land unharmed and unmolested. Your country is now at war and is calling for your assistance. Are you going to resist the call after your country has done so much for you? Do you think you would deserve the name of a true American should you ignore the call? I can hear the American boys say no; we hate to leave our parents and friends, but we must do for our country what our country has done for us. We must march out like brave heroes against the foes and bring back victory to the old U. S. A. Boys, when you go with that spirit, victory is ours.

I wish for all of you peace, happiness, and good health in the pursuits of life you are pursuing. I leave you with this little poem; the author I disremember, but it expresses my sentiment:

"When the golden sun is sinking
And your mind from care is free;
While of others you are thinking
Will you sometimes think of me?"

Your friend,

DILLARD W. BROWN.

[Applause.]

You never heard a more patriotic sentiment than is expressed in that letter, and I am sure it finds ready response and approval in every heart present in this historic Chamber. [Applause.] This letter was written by a noble, patriotic boy from the good county of Itawamba, the county in which was born my distinguished friend from the State of Arkansas, who now sits before me, Col. SAM M. TAYLOR, who later lived at Verona, Lee County, Miss., and then removed to Pine Bluff, Ark., and now represents the sixth district of Arkansas so ably upon the floor of the House of Representatives. He came from the same character of brave, sturdy, and splendid stock of chivalrous southern people, from which came the boy who writes this beautiful letter which I have just read. No wonder this splendid boy, Dillard Brown, feels such sentiments, having been born amid surroundings such as exist in this good county and among as patriotic citizens as live in America and from an ancestry who loved liberty, righteousness, freedom, and truth, all of which gave him inspiration as he penned those beautiful lines. [Applause.]

Now, I want to call attention to another letter, written from "Somewhere in France," and dated February 9, 1918. I clipped it from the Maben Press, published at Maben, Miss., by Mr. E. Lovett. Now, listen to this letter:

DEAR UNCLE JOHN: You don't know how much I did appreciate your letter. It was such a cheerful one; it sure made me feel good.

Yes; I have quite often thought of the task we have before us, especially since I have been over here. You are the only person I have heard speak of it as you do. The majority of the people over there I

don't think have fully realized just how large a task we have before us; it is awful large, I think. But if you people send us the stuff to win it with, there isn't any doubt in my mind but that we will come out victorious.

[Applause.]

This peace talk is just a farce, I think. I don't think there will ever be any peace effected until this kaiserism is downed.

Yes; I would like to come back soon, but we won't be back until we can bring Old Glory unfurled to all the world as the emblem of a safe, sound, and everlasting peace; and if I don't get back when they bring her back as that emblem, you can say, "He gave them all he had, helping to bring her back as the emblem of an everlasting peace."

[Applause.]

And I earnestly ask that all of you pray for me; pray that I may be spared to come back.

I have seen quite a bit of this country and like it all right, but nothing looks as good to me as the soil of the good old U. S. A. Yes; I have seen the place you spoke of. It is magnificent.

Write again and tell me all the news. With love and best wishes to you all.

Pvt. HERBERT E. COOKE.

[Applause.]

Did you ever hear anything better than that?

SEVERAL MEMBERS. No.

Mr. CANDLER of Mississippi. That boy has as true patriotism in his heart as ever beat in human breast. Every word in his letter has the true ring of sincere, genuine love of country and of the right. He, too, sprang from noble, brave, and chivalrous southern stock, who have never failed their country in the hour of peril. [Applause.]

This is published in the Maben Press of date March 29, 1918, and is from a boy from Oktibbeha County, in the State of Mississippi. God bless these boys! God bless all our boys wearing our country's uniform! One of those letters was a message to his associates in the county in which he enlisted, appealing to them to come cheerfully, with the full appreciation of the great dangers which are ahead of them, but still with a determination to discharge the patriotic duty which rests upon one and all alike. The other was from "somewhere in France," sending the message back to us that if we send the stuff to them they will bring victory back and bring an everlasting peace, and that if he does not return when the message is brought back with the flag unfurled to the nations of the world as the flag which came at the crucial moment to rescue and save the civilization of mankind to "tell it to my people from whence I came that I gave my all to bring about this result." No nobler sentiment was ever penned than to tell them, "He gave them all he had helping to bring the flag back as the emblem of an everlasting peace." [Applause.]

This is not only the anniversary of our entrance in the war but it is also the day of the beginning of the third liberty loan campaign. Certainly with boys from all over the United States of America at the front and ready to go the people who stay at home while these boys fight for them and our country, and give their all, will cheerfully and promptly give their last dollar, if need be, to buy bonds and to sustain the Government, and to take care of these noble boys in every way. The man who fails to respond in this hour of peril to say the least falls far short of his duty. [Applause.]

I have done in the past and expect to continue in the future to do, as a Representative in the Congress of the United States, everything on the face of the earth I can do for these boys. I invite and request every father, mother, wife, and sweetheart in my district who has a son, husband, or friend in the Army or Navy to write me and send me the name and address of their loved one thus enlisted in the service of the country and I will do all I can to help him, and in addition I will watch and promptly advise them, if possible, should harm overtake him in this country or "over there." [Applause.]

When I was at home in November I spoke in a small interior town by the name of Hatley, in Monroe County, Miss. After I had spoken in a church there, where I was introduced by Rev. Jeff Rogers, a Baptist minister, and my longtime and true friend, and had a large audience, composed of splendid men, lovely women, and beautiful children, who desired to know something about the war conditions that existed, and I had told them as best I could in my speech, and was going down the road to the home of Rev. Robert L. Birmingham, another good friend of mine, who my friend, SAM TAYLOR, to whom I referred a little while ago, knows very well, to break bread with him and his good wife on that occasion, there was a delicate little woman out in the road pushing along a baby buggy, and in the baby buggy there was a beautiful little child. As I passed by she called to me and said, "Mr. CANDLER, please come here, I want to speak to you a moment." I walked out to where she was, and in substance the following conversation occurred. She told me her name and then said, "I want to congratulate you on your speech." I thanked her, and she then continued: "I was anxious to know what the facts were, and I am glad to receive the information which you gave me."

Then she said to me, "My husband has never seen our baby. He has gone to the war. Do you suppose he could get a furlough?" I said to her, "I do not know, but I am willing to try to help him get it." She said, "I would be so glad if he could come to see me one time more and see our baby before he goes to France." I said to her, "I will cheerfully do what I can and assist you in any way possible to secure a furlough for him, and I hope he may be permitted to come and see you and the baby before he goes 'over there'"; but not desiring to raise hopes which might not be realized, I added, "It is doubtful, however, whether he will be able to come or not." Then, looking up as the fire flashed from her eyes like a Spartan mother of old and with the tears in her eyes shining like diamonds in their brilliancy, lit up as they were by the holy fire of patriotism, she threw her head back and said, "Whether he returns to see me and the baby or not, whether he ever returns when he crosses on the other side, I shall always feel proud of him, because he is wearing the American uniform and is enlisted under the American flag, and has gone forth to fight the battles of our country, for liberty, for democracy, and for truth. If he does not return, I shall always honor him because he went to defend our country from the terrors of a country that is violating all the rights of humanity, and to keep them from coming here and killing little babies like they are doing over there, like mine in that little baby buggy." [Applause.] I am not surprised to see the tears in your eyes, my fellow Members, and to hear you applaud as I relate to you this real and true story.

I tell you the tears filled my eyes and flowed down my cheeks as that noble and patriotic little woman walked away pushing that baby buggy before her, in which she had her beautiful baby, and in my heart of hearts I breathed a prayer to Almighty God to take care of them and the soldier husband and father and bring him back to them safe. It is patriotism like that of the boy from Itawamba County, who wrote the first letter I read, and the boy from Oktibbeha County, who wrote the letter I read next, and the pure and holy patriotism that wells up in the hearts of the women of this country like the good woman at Hatley that is going to bring victory and glory to the American flag and that is going to destroy absolutely the Kaiser and despotism and autocracy beyond the seas, and give to the nations of the world the greatest liberty and happiness, peace, and glory ever known in the history of mankind. [Loud applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. TAYLOR of Arkansas. Mr. Chairman, I ask that the gentleman's time be extended.

The CHAIRMAN. The time is in the control of the gentleman from North Carolina [Mr. SMALL] or, in his absence, in the control of the gentleman from Missouri [Mr. BOOHER].

Mr. BOOHER. I yield further to the gentleman from Missippi [Mr. CANDLER]. [Applause.]

Mr. TAYLOR of Arkansas. Mr. Chairman, I simply rise to thank the distinguished gentleman from Mississippi for his kind words with reference to myself and to the old county of Itawamba, where I was born. I first saw the light of day very near the banks of the Tombigbee River, which flows through this splendid county.

Mr. CANDLER of Mississippi. That is the reason the gentleman from Arkansas is such an able and useful Representative in this House. [Applause.]

Mr. TAYLOR of Arkansas. Mr. Chairman, the first steamboat I ever saw was floating on the bosom of the Tombigbee River. The reference made by the gentleman from Mississippi to the county of my birth and to the district he represents, where I was reared, touches me deeply. Nearly all of the loved ones of my blood lie buried in the soil of the first district of Mississippi, so excellently represented by the able and honorable Representative, Mr. CANDLER, save one brother, who lies buried in the soil of the great battle field of Fort Donelson, Tenn. I am greatly interested in the welfare of the people of Mississippi, and especially in the people residing in the first congressional district.

When I first came to Congress the very first man to greet me was the friend of my youth, familiarly called here by all of us "ZEKE," who had been here some years before I came. He is addressed in this familiar way by the Members because they all love him and know him to be an honest, energetic, useful, and influential Member. We know that he works hard and looks after the business of the people of his district as well as matters affecting the welfare of the Nation. He is loyal to his country and stands by our great President and our boys in the military and naval service here and across the sea in this great world war with vestal fidelity. It pleases me to so speak of him because I knew of his early struggles in life, which tested his

mettle as a boy and developed him into a true man with proper conceptions of the highest ideals and with a sincere sympathy with the best interests of the masses of the people. I am gratified to see him here now as a splendid Member of this the greatest legislative body in the world, always on the watchtower and with energy, ability, and fidelity serving his country and its highest destiny. Were there more men in the world like Mr. CANDLER the country would be safe and we would sooner secure peace on earth and good will to man, the condition so devoutly desired by us all.

May God bless him and give him a long and a continued useful life for his country. [Applause.]

Mr. CANDLER of Mississippi. Mr. Chairman, I sincerely appreciate this high compliment, so generously bestowed upon me by my good friend, the distinguished gentleman from Arkansas, who is recognized here as one of the best Representatives in this House, on either side of this aisle. He is close to us, and we all love and admire him. He has done great service, not only for his district but for the country at large, since he has been a Member of this House. He has many elements of greatness, his splendid ability, his large store of knowledge, his extensive experience, his charming personality and genial disposition; but when all these are supplemented with the fact that he was born in my district, in Itawamba County and on the banks of the Tombigbee River—taking all these together—a reason can readily be found for his universal popularity in this House, and his great usefulness and splendid success as a Congressman. [Applause.]

Mr. Chairman, now, in conclusion, let me say I am so glad we have no politics or partisanship in this House now; for, indeed, this is no time for divisions, for bitterness, or strife among us, but above everything it is the time to close up the ranks and present a solid front to the common enemy. Every German and German sympathizer in this country should be arrested and interned; every German spy and every traitor should be shot, and nothing permitted to retard in the least the onward march of our brave soldier boys to victory. He who stands in their way in this country or elsewhere is contributing to the shedding of their blood and in prolonging the war, and should be promptly destroyed. God grant that we may all do our full duty and thus be true to ourselves, our soldier boys, our country, and our God, and thus help to secure victory, and thereby bring honorable and lasting peace at the earliest possible moment. I thank you, gentlemen, for your very kind attention. [Great applause.]

By unanimous consent Mr. DEMPSEY was given leave to revise and extend his remarks in the RECORD.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from Illinois [Mr. MASON]. [Applause.]

Mr. BRITTEN. Mr. Chairman, I was in the House on yesterday afternoon when the speech of the gentleman from Alabama [Mr. HEFLIN] was made. It is probable that my colleague from Illinois intends to reply to that speech. I think it is only fair to the gentleman from Alabama [Mr. HEFLIN] that he should be here. I think there should be a quorum here, and I make the point of order that there is no quorum present.

The CHAIRMAN. The Chair will count.

Mr. MASON. Mr. Chairman, may I be allowed——

Mr. GARRETT of Tennessee. Will the gentleman withhold his point for a moment?

The CHAIRMAN. Will the gentleman yield?

Mr. BRITTEN. Yes; I will be very glad to.

Mr. GARRETT of Tennessee. I understand that if the point of no quorum is made——

The CHAIRMAN. The Chair will state to the gentleman from Illinois that debate is not in order, pending the point of no quorum.

Mr. BRITTEN. I withhold my point of no quorum.

Mr. GARRETT of Tennessee. The gentleman from North Carolina [Mr. SMALL] seems to have been called from the Chamber for a moment, and I want to state that if the point of no quorum is made and sustained——

Mr. KEARNS. Mr. Chairman, a parliamentary inquiry. Is this to be taken out of the time of the gentleman from Illinois [Mr. MASON]?

The CHAIRMAN. No; not at all.

Mr. KEARNS. The Chair asked the gentleman if he would yield.

The CHAIRMAN. The Chair asked the gentleman that question because he is entitled to proceed if he so desires.

Mr. BRITTEN. I assume that we are not trespassing on the time of the gentleman from Illinois.

The CHAIRMAN. No.

Mr. GARRETT of Tennessee. No; not at all. I wish to state that I understand that if the point of order is made, and if the Chair fails to find a quorum, it is then the purpose of the chairman of the Committee on Rivers and Harbors to move that the committee rise, and if the committee does rise, then to move to adjourn, which will close the general debate upon this proposition under the order made yesterday. So that if a quorum is not present general debate will be concluded, and the opportunity for gentlemen to speak under general debate will probably be cut off.

Mr. BRITTEN. Mr. Chairman, I will say that what I particularly desired was to have the gentleman from Alabama [Mr. HEFLIN] in the Hall of the House.

Mr. OLIVER of Alabama. Will the gentleman permit an interruption?

Mr. BRITTEN. I yield to the gentleman from Alabama.

Mr. OLIVER of Alabama. My information is that my colleague [Mr. HEFLIN] is in Greensboro, N. C., where he was called to fill a speaking engagement that he made some weeks ago.

Mr. BRITTEN. Under the circumstances, Mr. Chairman, I withdraw my point of no quorum.

The CHAIRMAN. The gentleman from Illinois [Mr. MASON] is recognized for 20 minutes.

Mr. MASON. Mr. Chairman, I confess that it is with some hesitation that I proceed to reply to the most remarkable performance of the gentleman from Alabama [Mr. HEFLIN]. I would much prefer to have him present, as I did him the honor to listen to his "declaration" on yesterday. I will, however, endeavor not to transgress the rules of the House in making reply. It is in keeping with the gentleman's characteristics that he should assail me and then immediately leave town. [Applause.] It is in keeping with his characteristics that he should make a speech assailing me, which he keeps out of the RECORD, so that I can not reply to it because it is not printed. By reason of his past record when he has been compelled by this House to correct statements which he has inserted in the RECORD that were not made on the floor I have no means of knowing now what will be printed, when he gets back, in what is supposed to be his speech of yesterday.

On the 7th of April, from a sense of duty which I could not resist, in the most humble spirit I made a suggestion as to the message of the President of the United States then before us. Mr. HEFLIN, of Alabama, says that it has no spirit of patriotism and indicates that it was such a speech as would give comfort to the Kaiser. I wish to say for his benefit that inside of three or four days the President of the United States again addressed this Congress and abandoned the doctrine of the return of Alsace-Lorraine, and did it splendidly, and in his announcement of the doctrine of self-determination showed that he agrees with the very proposition I made in this forum; and I never was so happy in my life as when I sat in this Chamber and heard that great President deliver the last pronouncement as to the terms of peace, in which he omitted a demand for the return of Alsace-Lorraine and stood strongly and solely upon the ground of the right of self-determination, an announcement by the President that struck the world as fair and right. Even the German Minister Hertling said that they could accept it if they could get exactly the same proposition from France.

And yet, yesterday, Mr. HEFLIN comes before the House and—apparently forgetting the President has adopted that theory—seeks to make a personal assault on me for calling attention to the righteousness of the proposition. Has he answered one single statement I made in this speech? No. Does he claim that I have misquoted history when the Emperor declared war in 1870? No. But he garbles it and grabs from it and then refuses to print his own speech, but distributes himself far away on some patriotic duty. I want to say to you that when he assaults the speech that I made and circulated he assaults the position taken by the President of the United States. I say, God bless the President for taking the position that we do not want to interfere or change the territory of governments of other countries, but stand for freedom of the seas and the rights of self-determination of small nations. [Applause.]

But he says my speech was not patriotic. I call upon you gentlemen to bear witness, you who heard me on that day, of one word that was unpatriotic. Have I ever complained of the Postmaster General or any member of the Cabinet? Have not I defended your Secretary of War when men of your own party have assailed him?

Let me read a few lines from the speech this distinguished gentleman from Alabama says was unpatriotic:

> I see no profit in fault finding, except where the immediate correction can be made without interfering with our preparation for this war, and I regard it as unwise to discuss in party caucuses anything that affects the successful carrying on of this war; nor do I intend, if I can master myself, to indulge in party claims or party criticism

If there has been any of that in this Chamber, I have not been the guilty man.

Again I said:

I pray God that during this war we may be big enough to wipe out this middle aisle which separates an American Republican from an American Democrat.

That was the tone of my whole speech. I simply was pleading for the President to consider the question whether we should go on and obey the demands of France.

Let me quote another word. I said on that day:

We will not abandon for one moment the league of honor with which we, with our coworkers, fight the Imperial Government of Germany.

Let him sometime show one word, one act of mine that has not been in the line of patriotic defense. But he jumps on me. Why does not he jump on some of my brethren on the Democratic side who voted as I did before the war and who stand as I do for everything we have got in the policy of the war? [Applause.]

Cheap peanut politics! He assaults me because I am a Republican and he hopes to make in his district some little cheap capital that he has been able to assault and insult me.

I purpose now to answer him if I have to get down onto his intellectual level to do it. [Laughter.]

I said in that speech, "For God's sake let us quit fighting each other and fight the Kaiser." Does that sound unpatriotic? He complains that I printed my speech. Well, I had to, people wanted to read it. [Laughter.] Some of you cruel Democrats bought them by thousands to read, I trust by reason of its patriotism, and possibly some on account of its literary merit. But he does not print his speeches, he telegraphs them, writes the headlines, and then they are sent back to him to pay the telegraph bill. [Laughter.] In order that you may understand about it let me read an editorial from the the Age-Herald, published in Alabama. Some of you gentlemen I suppose know whether this is a respectable editor and respectable paper. This is what he says about Congressman HEFLIN:

CONGRESSMAN HEFLIN BREAKS ANOTHER RECORD—CONGRESSMAN J. THOMAS HEFLIN, OF THE FOURTH ALABAMA DISTRICT, HAS SET A NEW RECORD FOR RAPIDITY OF SPEECH.

During the consideration of the prohibition amendment Monday the House was under the two-minute rule, which means that each Member was allowed only two minutes to express himself on the resolution.

Monday night Congressman HEFLIN sent to the Age-Herald by telegraph some 2,700 words of his speech, with the introduction, "HEFLIN holds House in rapt attention while he spoke on the prohibition amendment, in part, at follows."

Then the speech began to come by wire. Sheet after sheet of it rolled into the Age-Herald's office. The telegraph editor thought another deluge had broken loose. Of course he is used to handling some 30,000 words of matter by telegraph every night, but he usually has control of the dike and knows when the floods of messages are coming. But Mr. HEFLIN'S speech was simply overwhelming. When the first thousand words had reached his desk he thought surely Mr. HEFLIN had been speaking at least a minute and a half, but as the flood continued he thought the two minutes would soon be up. When finally the end came he sighed in despair and was heard to mutter, "Two minutes! What if he had spoken an hour."

[Laughter.]

Oh, the modesty of this man! [Laughter.] The alleged patriotism of a man who suspects you people every morning when you get up—"I have suspicion of 14 people," and never had the courage to name them.

Yes; he sent the telegram "collect," and wrote his own headlines. "HEFLIN holds House rapt." I have seen the House rap him several times. [Laughter and applause.] He sends a telegram "collect." But to continue the editorial:

But Mr. HEFLIN not only set a record for rapidity, he was after making another record, so he sent this flood of oratory "collect." Mr. HEFLIN'S long record in Congress makes his Alabama friends feel safe in the assurance that the Congressman knows the Age-Herald maintains a Washington bureau through which all its telegraphic dispatches are filed. But this bureau was too slow for Mr. HEFLIN. He was out for rapidity records and wished to show some real speed, so to save time he filed his dispatches without even the knowledge of the Age-Herald bureau. He wanted this burning speech to reach the waiting and breathless people of Alabama while it was still hot. He, no doubt, felt that extras would begin to fly from the Age-Herald's presses as fast as the dispatches were received.

The Age-Herald regrets that it was unable to make room in its columns for this wonderful two-minute speech, and it regrets further that it was unable to accept his flood of messages collect, and they were politely but firmy returned to their source.

[Laughter.]

Now you understand why he is angry with me. He could not get his telegram published after he wrote the headlines in any paper and has to pay his own telegraph bill. He is mad because I print my speeches and pay for them.

I am getting sick and tired of being bulldozed every time I express an honest opinion in the House. I have served here off and on and find that you are all pretty fair men; I believe you are honest, but every time this man from Alabama gets up in the morning in Washington and gets his trousers on he thinks that this country is about half dressed. [Laughter and applause.]

He goes tilting down Pennsylvania Avenue, usually in a long frock coat, with a white vest, with perfectly manicured eyebrows, and wonders that Pennsylvania Avenue does not tip to one side because he is all on that side. [Laughter.] Then when he comes into the House and walks down the aisle and casts his eye upon the ladies galleries, a hero, an Adonis, and then comes down here and bellows how patriotic he is and how traitorous you are, even without a megaphone he shakes the walls of Berlin [laughter], and that gentleman feels that God and he have a monopoly on all the good things and have the world by the short hair. So far as I am concerned, I am tired of it. He said there are no secret treaties. He did not know. There are the treaties; they have been public for weeks. He says he went to the State Department and they told him they had not received any. Of course the State Department has not received "secret" treaties, but they have been published all over this country, and one of the kindest things the New York Post ever did for our President was to publish those treaties, letting the people know what they had agreed on in advance, but HEFLIN does not know it. You can not blame him. There are 49 miles of bookshelves over here in the Library, and they could not hold what he does not know about these questions. [Laughter.] He knows enough to get up here and insult every man who has a feeling. "HEFLIN holds House in rapt attention; he makes a moving speech." He moves them out as a rule, and those on the front seats without umbrellas usually move back a little to avoid the perspiration and the saliva; but when he bellows, oh, how bad you are and how good he is, and he strikes that attitude so that the ladies in all of the galleries can see him. I give him and his friends notice now that I have had all I am going to take of it. [Applause.]

Why, when my friend BURNETT asked him why he did not enlist, his knees knocked together. He has the most patriotic mouth and the most cowardly pair of legs ever put on a human being. [Laughter.] Then every once in a while he says, "God of my fathers!" Why, the Kaiser, that old devil, is in the same business. He is like HEFLIN, he even puts God in as the junior member of the firm. [Laughter.] "HEFLIN holds the House in rapt attention"—written by HEFLIN, refused to be published, and he had to pay the telegraph tolls. I think that ought to be enough for him for a week and a half or two weeks; but all I want to say to you, gentlemen—and there are some things that I would much prefer to say if he were here—is that when he is asked to show what his patriotism amounts to, as he told our friend BURNETT, "I am willing to sacrifice my sister's son, but I can not go"—a great big, striking, fine, healthy-looking man, and God Almighty never made a man half as brave as he looks. [Laughter.]

Mr. Chairman, I have restrained myself, and I am glad of it. I am glad I was not allowed to speak yesterday, because I might have gotten angry, and I have one rule of life, and that is never to get up mad in the morning. It is what keeps me well and a little stout; but I want to serve notice upon him and those who are trying to drive politics that if they can name one spot or place where I have ever tried to bring my party in on this floor, I shall resign from here. I love my party, but I would kiss it good-bye in one minute to save one man on the western line to-day, where our boys are. [Applause.]

Let him go with my boy, this brave man, with the large lungs, with the courage of a cock robin. Let him shoulder a gun and go with my boy. My boy has written me, and he says:

If any man attacks your Americanism, Dad, and I come back from Berlin with only one arm, so help me God, I shall take him on upon any rules laid down for fighting men.

[Applause.]

Let him show his courage instead of abusing his elders and his betters who are willing to give up their families for this country, and who will be silent when we think we can help the fellows over there. I am tired of it! If the Secretary of War is human, if he has made mistakes, for God's sake let us hide the mistakes from the world and from the enemy. We will win this war, but we can not win it by these men who have the brains of angleworms and the courage of cock robins, who swell and strut and sweat and spit in this body, and tell you that you are all cowards unless you agree with him; who says that he can see within your heart. Why, he does not know the difference between a heart and liver and bacon—never did have any conception of it. [Laughter.] Again I say, let us quit fighting each other and fight the Kaiser.

The CHAIRMAN. The time of the gentleman from Illinois has expired.

Mr. MASON. Mr. Chairman, I am very much obliged to you all. [Applause.]

Mr. SMALL. Mr. Chairman, I yield 15 minutes to the gentleman from Tennessee [Mr. FISHER], a member of the committee.

Mr. FISHER. Mr. Chairman and gentlemen of the committee, the river and harbor bill during two days has had very little attention given to it in the general debate. With practically no opposition to any single feature of the bill, with a bill which is purely a war measure, naturally the discussion has drifted to other matters. That is quite a strange proceeding for a river and harbor appropriation bill, because those of us who have not been Members of the House but who have kept up with the measures before the House have watched with interest the debates of Congress as to the development of our waterways. This bill yesterday underwent the acid test, though probably many Members of this body did not appreciate it. The gentleman from Wisconsin [Mr. FREAR] is not opposing this bill. It is a war-emergency measure, and while he has heretofore always consistently, vigorously, and sometimes violently opposed river and harbor bills, this bill has been carefully scrutinized by him and, as a war measure, I am sure he will vote for it. His patriotism has won a victory over his opposition to all river and harbor measures. I was present when the very distinguished Member from Wisconsin [Mr. FREAR], patriot that he is, returned from a visit to a training camp where he had a son who was preparing to leave for France. His son now is in France.

I know that he is proud of the fact that he had a son who can now serve the Nation so efficiently in its battle for democracy. But it was a strange procedure on yesterday to hear him in general debate speak of the recent senatorial contest in Wisconsin, and of other matters, none of which related to the provisions of this bill. Year after year, session after session, in season and out of season, he had fought rivers and harbors bills. I think the folks back in Wisconsin and the weeklies of Wisconsin and those magazines of the Nation that have loudest cried, "Pork, pork," when the river and harbor bill has been under consideration were at a loss to-day to know what to say of their leader of years gone by.

My proposition is that the absence of his attack on the river and harbor bill also demonstrates that a new state of affairs has arisen so far as the development of waterways is concerned. It is not my desire to criticize the conduct of the distinguished gentleman from Wisconsin, but it is my desire to comment upon and praise the situation that now exists.

There has been a full realization of what bona fide water lines and water development would mean as a help to the transportation system of our Nation. There could not be a more appropriate time for the Nation to consider the question with all of its problems. It deserves very careful consideration. This attitude was shown by the Council of National Defense when about a year ago they appointed a very distinguished lot of men as a committee to study the inland water-transportation system and to make recommendations as to what could be done to rehabilitate it. It was then recognized that the whole transportation system of the United States was inadequate and there was great need of developing an ally of the railroads, which had been allowed to decline. This distinguished committee made an investigation and studied the situation carefully. The chairman of our committee invited the secretary of that committee, Col. Charles Keller, to appear before our committee and give to us the benefit of their investigation and research, so that we, who were charged with the duty to recommend to this Congress improvements along waterways, could profit thereby.

And just now I want to say a few words about the chairman of our committee. He is a most thorough student of the problems of water transportation. He is fully advised of the needs of waterways, and he is determined that their development shall be made upon a sound basis. If there is a man in this country who is a leader among those who have faith in the future of water transportation and strongly urge development of meritorious projects it is he. [Applause.]

We are all familiar with the very splendid letter that he wrote to the Secretary of War in which he gave the essential elements for successful water transportation. He particularly emphasized the duty of local authorities to provide adequate terminal facilities. This letter was sent to the mayors of the different municipalities where there was any sort of waterway. The Secretary of War sent this letter, with his indorsement, to all engineers in charge of river and harbor improvements. All this has brought about an intelligent discussion of those most important subjects. Our committee was fortunate in having before us Col. Keller, the secretary of the committee of the Council of National Defense. He has had years of experience in inland water development in the discharge of his duty as an engineer. He firmly believes that our idle rivers should be put to work; that they are nature's highways; and that in their development and use we have the solution of our very difficult transportation problems. To those interested in this subject I strongly recommend your reading his testimony before our committee and the report of the committee of the Council of National Defense, of which he was secretary, which is printed in the hearings just after his testimony. From all of the discussions we find the chief reasons for the decline of water lines has been that waterways are irregular and not continuous throughout the year; that there is a lack of adequate terminal facilities, which has discouraged both the shipper and the carrier; that there is a lack of cooperation and coordination with other transportation lines, which, among other things, prevents the issuance of through bills of lading; that railroad competition has been fair and unfair, and sometimes the rate cutting has completely throttled the water lines; that there has been lacking the cooperation of the communities; that we have had no well-defined waterway policy for our country, and capital has not been interested because of the uncertainty of profits. Our railroad system, until a few years ago, was able to handle the load, so that we neglected the study of other means of transportation. Now that the load has become too heavy and has swamped them, legislation should be enacted to remedy, if possible, the evils of the old system.

We can not say this department or that department quit functioning on this proposition. The Chief of Engineers has repeatedly recommended legislation which he thought would help to rehabilitate the waterways, but Congress was content to postpone the consideration of such measures, for no breakdown of the railroads could be foreseen. It is up to this Congress to see that water lines are given a fair chance. It has been repeatedly stated that a righteous war brings on a great awakening. Now, it seems that never before in our country's history have we had so much discussion about the development of our waterways. We are confronted with a situation where the railroads are not able to carry the load that our industries demand. Industries are running at full blast and are tremendously increasing their output, all of which has to be transported somehow.

Some complaint has been made about the tugboats and barges that are being built by the Government for use on the Mississippi River to be used in hauling iron and coal for use in war industries. I want to say that that project was carefully considered by the Chief of Engineers as a war emergency and met his hearty approval, and he recommended that it be adopted. The Government will lease the towboats and barges upon equitable terms. The Government was pressing industries to increase their output of war essentials—for materials used in battleships—and the answer given was that the transportation system could not furnish them sufficient raw materials. The solution given that problem by the Chief of Engineers was an intelligent handling of the proposition. The matter was presented to the President, and it met with his approval. If ever there was an appropriate time for helping war industries increase their output by relieving congested transportation and at the same time giving a stimulus to river navigation this opportunity furnished it.

The question of transportation should be given very careful study along broad lines. It should be treated as a whole, of which the essential parts are railroads, waterways, and electric lines. In the present crisis we need every available agency of transportation intelligently and efficiently utilized. There is a load for each. We have seen a congestion of cotton held in our Southern States awaiting shipment to cotton mills in the New England States relieved by an order of the Director General of the Railroads sending many trainloads to ports where ships delivered the cotton to the New England points, thus preventing further congestion of railroad freight in the East. We have seen thousands of auto trucks using our splendid highways, thus doing their part to hurry war essentials to embarkation points. We are familiar with the frequent use of the auto truck for handling freight between our many large cities and for short hauls. Our water lines have likewise their part to play. Gen. William Black, the Chief of Engineers, has stated that "Not one pound of freight should be shipped by rail that can be shipped by water." We have greatly improved our inland waterways as well as our harbors by the expenditure of hundreds of millions of dollars. No better time could be found to take advantage of this development. Water transportation is cheap. If rail rates are destructive of particular water lines, the present Government control offers a splendid opportunity for a reconstruction of rates upon an equitable basis. If it takes legislation to compel the use of water lines, now is the time to consider it; but the right of way given war materials and foodstuffs acts as a compelling reason for a shipper to use a water line if there is one available.

We could ask no better time to bring about a cooperation and coordination on the part of other transportation agencies with water lines, for much of the load would be a welcome shift

for the railroads. The wide discussion of the development of river navigation with the pressing demand for help for the railroads has awakened communities in their efforts toward the rehabilitation of water navigation. Many new and adequate terminal facilities are either being constructed or plans drawn for their construction. Every ton carried by water relieves the freight cars, so that they can be utilized for carrying foodstuffs, coal, and all war materials. Aid given the solution of the transportation problem of our Nation is now a patriotic service, but these favored communities having rendered that service by the development of water lines as an aid to the railroads will after the war flourish far beyond those communities depending solely upon rail transportation.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Massachusetts [Mr. GILLETT].

Mr. GILLETT. Mr. Chairman, I was much surprised a few minutes ago to hear the gentleman from Indiana [Mr. Cox] so vehemently express his indignation that any criticism should be offered on this floor as to the efficiency of the Post Office administration. I had supposed that the innumerable letters which have been cited here, and of which I have cited some, showing the delays in the transmission of letters between the soldiers in France and their homes, of itself was enough to naturally excite criticism. The last complaint of which I heard was of a boy who wrote home saying that he did not receive any letters, but that the camp was flooded with tons of speeches of the Secretary of the Treasury; and I can think of nothing that seems to be more like asking for bread and being given a stone than for a soldier to ask for letters from home and have the Postmaster General send him a franked advertisement of his his colleague in the Cabinet, Secretary McAdoo.

It may be, as is suggested, that it is not entirely the fault of the Post Office administration—that it is in part the fault of the Army officials, of the French Government—that these letters do not reach their destination more promptly; but every day here at home we see evidences of administration which make me, at least, suspect that some of the fault is in the administration itself.

I recently had an experience which shows that the Post Office administration, in my opinion, deserves some criticism right here at home. I saw in the paper a few days ago, and doubtless you saw it, that the merchants of Washington were sending their letters to New York by special delivery in order to have them reach their destination the next day. If they used the ordinary method of transmission, they could not be delivered in that length of time, so they put on an extra 10-cent stamp in order that they might be delivered in one day after leaving here. Now, obviously that is good for the finances of the Post Office Department, of which its chief is so proud, but it is not very good service for the merchants, and it is no wonder that business men outside of Washington are constantly criticizing the department, as we all know they are, and it is not strange that that feeling should be reflected here.

Now, the other day I was going away to a certain city about an 18 hours' journey from here and I wanted a copy of the CONGRESSIONAL RECORD the next morning, when I should reach there, so I asked my secretary to mail it to me. When I left in the evening I asked him if he had mailed it, and he said that he had; but, conscious, possibly, of the uncertainties of the Post Office Department, he told me he had put a special-delivery stamp on it.

The letter started in the morning, and I left at night. When I reached my destination the next noon I asked for it, but it had not arrived; in fact, it had not arrived the next morning, but it did reach there the next evening, 30 hours after my arrival. And then, on Thursday I desired to send a letter to my secretary, which I wanted him to get on Saturday morning, and, mindful of my previous experience, but foolishly still trusting the Post Office Department, I mailed it on Thursday morning with a special-delivery stamp on it. That letter was delivered to my secretary not on Friday or on Saturday, but on Monday morning. It did reach Washington on Saturday evening, according to the stamp on it, but arrived after the office had closed. If I had sent a telegram, the Western Union would have looked up my secretary's address and have delivered the message to him, but probably that was too much to expect of the Post Office Department. At any rate, that letter did not reach the post office in Washington until Saturday evening. So I could have left where I was stopping several hours after that letter left; I could have come to Washington by train and spent a whole day here, gone back and had half a day there before that letter, mailed by special delivery, had reached its destination here in Washington.

The CHAIRMAN. The time of the gentleman has expired.

Mr. GILLETT. Can I have a couple of minutes more?

Mr. KENNEDY of Iowa. Mr. Chairman, I yield to the gentleman two minutes more.

The CHAIRMAN. The gentleman is recognized for two minutes more.

Mr. GILLETT. A friend of mine, to whom I alluded in regard to the delay in my first letter, told me that he had telegraphed to New York for the letter that I wanted particularly, and it had been mailed to him by special delivery, and it took exactly one week for that letter to go a journey of 24 hours.

Now, gentlemen, when such things happen, when the merchants of Washington are compelled to send their ordinary business mail by special delivery to New York so that it can be secure—and I think no doubt your experience is like my own, and I do not remember the time when my mail was so uncertain and unreliable as it has been of late—when these things are constantly occurring, the gentleman from Indiana should not be surprised when gentlemen of this House, reflecting the ordinary criticism which the business world feels, do occasionally vent their complaints here in this body. [Applause.]

Mr. GARRETT of Tennessee. Mr. Chairman, will the gentleman yield for a question?

Mr. GILLETT. Certainly.

Mr. GARRETT of Tennessee. If I understand the complaint of the gentleman with reference to the foreign mail to France, it is on the character of the mail that is sent.

Mr. GILLETT. My complaint of the foreign service is of the delay, both in first-class mail and in packages.

Mr. GARRETT of Tennessee. But the question of tonnage, as the gentleman must know, necessarily enters into it?

Mr. GILLETT. Certainly. I did not enter into that.

Mr. GARRETT of Tennessee. But I understand that the gentleman stated they were sending pamphlets or something from the Treasury Department?

Mr. GILLETT. The soldier said there were tons of Secretary McAdoo's speech being delivered in the camp.

Mr. GARRETT of Tennessee. And the gentleman thinks that is being done to the exclusion of letters?

Mr. GILLETT. I do not know whether it has been or not. I did not indicate that. I said they thought they had a just complaint in receiving that instead of receiving letters.

The CHAIRMAN. The time of the gentleman from Massachusetts has again expired.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Indiana [Mr. DENTON].

The CHAIRMAN. The gentleman from Indiana is recognized for five minutes.

Mr. DENTON. Mr. Chairman, something has been said about the question of terminals in connection with river transportation. That there should be adequate terminals, we all agree.

Two things are necessary for water transportation. First, we must have an adequate channel, and, secondly, we must have the proper terminal facilities to take care of the commerce. But without the first of these, it is useless for municipalities to expend large sums of money in constructing terminals. This is the case to a great extent along the Ohio River. Until we get the channel we have no use for the terminal. Indeed, considerable use can be made of the rivers in many instances when a proper channel is secured, even with very inferior terminals. But the best and most expensive terminals are of no value without the channel. In the lower Ohio Valley the difficulty at present is that during a great part of the year the river is so low that transportation is seriously interfered with, and at times entirely stopped. The object and purpose of erecting dams in the Ohio River is to give that section a 9-foot stage of water the year around. When this has been done it will be profitable to organize companies to build boats and barges and engage in river transportation on a large scale. But until this has been done, lack of an adequate channel will render it unprofitable to engage in river transportation in this section extensively.

That the municipalities along the lower Ohio will gladly furnish the proper terminal facilities to handle the traffic, there is no doubt. At the present time such traffic as there is, is handled quite successfully through privately-owned terminals. Almost all the railroads have lines running to the edge of the water at the present time with terminal facilities sufficient to load and unload freight.

I can say for the city of Evansville, which I represent, that she will do her part to make transportation on the Ohio River a success. This city, of about 100,000 population, has all modern facilities and its citizens are among the most public spirited to be found in the land, and they are ready and willing at any time to make any expenditures that will be of benefit to the community. No city of its size in the Union is more

progressive. The city has the largest colosseum in the State; the largest and finest municipal playgrounds; extensive parks; unexcelled hotel and banking facilities, and if there is anything that Evansville has not, that she ought to have, if you will tell us what it is we will go and get it. Terminal facilities will be furnished to the entire satisfaction of Congress. The satisfaction of the people of this city with the present administration of its affairs is clearly shown by the recent mayorality election, in which the present Democratic mayor, the Hon. Benjamin Bosse, was reelected by an overwhelming majority, in a city that is about evenly divided politically, carrying 30 out of 31 precincts.

The recent congestion in freight traffic has brought home to the people, as nothing could have done, the importance of utilizing to the fullest extent our rivers as a means of transportation, and has vindicated the wisdom of those who, in the face of strenuous opposition, have championed the improvements of our waterways.

The cities along the Ohio River have secured great relief during the past year by means of river transportation, hampered even as they have been by lack of an adequate channel. If this river had been thoroughly improved the congestion in freight traffic in the lower Ohio Valley would have been greatly relieved, if not entirely obviated.

One of the greatest obstacles to river transportation has been the opposition of the railroads. As the gentleman from Wisconsin [Mr. COOPER] stated yesterday, in some instances they have carried their opposition to the extent of buying up all the sites suitable for terminals for river transportation. But we have now entered upon a new era in this country in the matter of transportation. Since the railroads have broken down and the Government has taken charge of them there is every reason why river transportation should be encouraged as a means of relieving the congestion. With the railroads controlled and operated by the Government opposition to river transportation will vanish. What will be the result after the close of the war? We can not tell. But one thing is certain, the people are going to demand ample transportation facilities hereafter. If the railroads can not give this, then the Government must and will. The people will never be satisfied to go back to the conditions that existed for more than a year prior to the time the Government undertook the operation of the railroads. Much will depend, of course, upon the success of the Goverment in this enterprise. If Government operation is successful, I for one do not believe that the transportation system of the country will ever be given over again to the hands of private owners for operation. What the people want is service. The railroads are a public utility more important to commerce even than State and county highways. They must be made to meet the needs of the public, for the interests of the public are far above and more important than any private interests, and if operation of these roads by the Government gives the people the relief sought for no doubt satisfactory arrangements will be made whereby the Government will continue to operate the roads for the benefit of the public. Under these conditions we may look for the greatest encouragement of river transportation, instead of its obstruction which we have had heretofore.

I have received many requests during recent months, as no doubt have most of you, to assist in having embargoes lifted and cars furnished for shippers, but I do not think transportation has been interfered with as much along the Ohio Valley as it has been in some other sections for the reason that we have had the benefit of the Ohio River.

The CHAIRMAN. The time of the gentleman from Indiana has expired.

Mr. SMALL. Mr. Chairman, I yield to the gentleman one minute more.

The CHAIRMAN. The gentleman is recognized for one minute more.

Mr. DENTON. The cities along this river were enabled to relieve the coal famine to a great extent, and to relieve the congestion in other ways by the use of the river, even in its present condition. When this great natural waterway has been so improved as to give us a 9-foot stage the year around, with the cooperation which we may naturally expect from the railroads under changed conditions, the Ohio River will become one of the greatest transportation mediums of the country.

Another fact that is emphasized by this bill is that everything is being subordinated to the prosecution of the war. As has already been stated, no new projects are contained in this bill, unless they are war measures. Much as many of the communities may need improvements coming under the jurisdiction of this committee, I prophesy that you will find very little complaint. The people realize that we are at the greatest crisis in the history of the Nation. We are at war with the greatest military power that ever existed. We are fighting not only for our liberty but for our national life and freedom, and everything must be subordinated to the winning of the war. Until this conflict has been brought to a successful conclusion the American people must have and will have but one thought and purpose. [Applause.]

Mr. SMALL. Mr. Chairman, I yield to the gentleman from Alabama [Mr. HUDDLESTON] 20 minutes.

The CHAIRMAN. The gentleman from Alabama is recognized for 20 minutes.

Mr. HUDDLESTON. Mr. Chairman, a few days ago I took occasion to comment in the House upon the unwisdom of our ratio of bond issues to taxation. I expressed the opinion that we should collect more taxes in proportion to the amount of bonds that are being sold to finance the war. The view was expressed at that time by certain Members that business could not stand higher taxation; that higher taxes would cripple business.

I desire now to further refer to that subject and to answer the claim that business will be crippled by increased taxes. I wish to take up the case of the United States Steel Corporation. I refer to that concern for a number of reasons. The first is that it employs 25,000 men, or thereabouts, in my own district, and I believe that comment of this kind ought, like charity, to begin at home. I refer to that concern also because it is the largest employer of labor in the United States.

I refer to it because, on account of its wealth and influence, of the power that it wields, it has been able to get along and carry on its operations without recognizing the right of men who toil to organize, to form themselves into labor unions. The United States Steel Corporation has never recognized any such right upon the part of the men who work for it. Itself constituting the greatest industrial organization in this country, having, as has been charged in the courts, a monopoly of ore supplies, enjoying enormous influence and wealth, thoroughly organized itself, its vast activities carried on under the direction of one or two supreme heads, it has denied to the 275,000 men who work for it the same right, the right to organize and to bargain collectively with their employer.

I also refer to this corporation because it has steadfastly refused to give recognition to the basic eight-hour day. It has refused to allow the principle advocated by the President of the United States, that society has reached the point where it recognizes the justice of the eight-hour day. Men are now compelled to work for the Steel Corporation 8 hours, or 10, or 12 hours, or whatever number of hours the employer demands, without any regard to overtime or of the justice of the eight-hour principle. Therefore it seems fair, in view of all these things that distinguish this great industrial concern, that we should take it as a type and look to it and see what it is doing in this time of war and national distress and what profits it is realizing.

I hold in my hand the report for 1917, recently issued to its stockholders by the United States Steel Corporation. It is not a clear report. I do not think that an accountant could take this report and find out what the net profits of the Steel Corporation were for last year. I will not presume to say that the report is intended to mislead; I will not make that charge. I do say that the profits that the Steel Corporation was able to make during last year are so covered up in it that, although it purports to be a real exposition of that subject, it is impossible for any man, accountant, layman, or whatever he may be, to tell from the report just what it earned.

There are, however, statements in this report that throw some light upon its operations. For illustration, the report states that the net earnings of the Steel Corporation for last year were $304,000,000. That is to say, the net earnings, after deducting "*allowances for estimated proportion of extraordinary cost of facilities installed by reason of war requirements and conditions*, also taxes—including an estimate of $233,465,435 for account of Federal income, war income, and war excess-profits taxes payable in 1918—but exclusive of charge for interest on outstanding bonds, mortgages, and purchase obligations of the subsidiary companies," amounted to $304,161,471.53.

The report states that after making those deductions the net earnings of the corporation were $304,161,471.53. How much would have been shown if those legitimate items had been added—and they ought to have been added if the statement was intended as a candid presentation of the earnings of the company—how much they would have been shown to be with such items included can not be learned from this report.

I do observe, however, the statement that $233,465,435 has been set apart to pay Federal income, war income, and war-excess-profits taxes payable in 1918. Using that as a basis,

and making the best calculation that an expert can make from these figures, which is, take them as 32 per cent of the taxable income of the company, the net earnings of the Steel Corporation for last year was in the neighborhood of $729,000,000. So much for that.

Now, let us see what the earnings of the concern applicable to dividends were according to its own statement. This corporation has $508,302,500 common stock, commonly believed to be practically pure water, without hardly the color of value having gone into the assets of the company. It has $360,281,100 of 7 per cent preferred stock and has a bonded debt, it and its subsidiaries, of $586,828,875.89. Out of the $304,161,471.53 net earnings, as shown by its report to remain after making all deductions for taxes, replacements, and so forth, charged off, the Steel Corporation paid $25,219,677 as the dividend of 7 per cent on its preferred stock, and the interest on all its bonded indebtedness amounting to $30,125,594.67, making a total of $55,345,271.67, which, taken from the earnings of $304,161,471.53, shows that for 1917 alone the net profits of this corporation applicable to the common stock were $248,816,199.86, which was 49 per cent earnings upon the common stock of that corporation for the space of one year.

How can it be argued that a corporation earning such dividends as that can not stand further taxation? How can it be argued that corporations which earn practically 50 per cent upon their common stock, after paying all charges of every kind, should not in this time submit to further taxation? In 1914 the Steel Corporation made only $23,496,796; in 1915, $75,833,833; in 1916, $271,531,730, compared with its prewar average profits of $63,585,777 for the years 1911, 1912, and 1913.

What would have been the taxes of this corporation under the British law, according to the British rate of 80 per cent on excess profits and 25 per cent on average prewar earnings? The Steel Corporation for the prewar years of 1911, 1912, and 1913 earned an average of $63,585,777 annually. On this average the British rate is 25 per cent, or $15,896,444, with a rate of 80 per cent upon the excess above that, which would have yielded the further sum of $371,531,378.40. The figures are based upon the statement in the report of net earnings of $304,161,471.53 plus the sum set apart for Federal taxes, $233,465,435, which makes a total income upon which taxes are to be paid, as admitted by the report, of $537,625,906.53. So that if the Steel Corporation had been doing business in Great Britain instead of America, in place of paying taxes of only $233,465,435 to the Government, it would pay $387,427,822 taxes to the Government. *So that by being in the United States instead of in Great Britain this corporation saves the tidy sum of $153,962,387 in taxes in one year.*

Had this corporation paid taxes according to the British rate of 80 per cent upon their excess profits it would still be able to place to the credit of the common stock 18.9 per cent for 1917 alone. Is not that enough in these war times? Is not that enough profit for even a war contractor to make in this time when men are laying down their lives for the flag?

The Steel Corporation is merely a type; it is merely one of many concerns which are making enormous profits. Such profit-making concerns may be numbered in thousands. I have no sympathy with corporation baiting, and I hope never to be guilty of it. But also I have no sympathy with profiteering when the country is torn with distress, when a million firesides are desolate, and when anguish is entering into a million American homes.

The matter of vast profits being earned that I have referred to relates to the ability of concerns situated as the United States Steel Corporation is to pay a greater rate of taxation than they are now paying. It relates to the justice of requiring higher rates of taxes from such concerns. It relates to the necessity, if we are going to present a clean face to our soldier boys when they come back from France, of having done our duty here while they were doing their duty over there, that we shall increase the taxes on those who are making big profits out of the war and make them furnish the money, so far as they are able while our boys are furnishing the manhood on the battle line.

But there is another aspect to this matter, a purely economic aspect, which does not heed the question of justice, which assumes that profiteers have the right to make all the money they can and that they should not be stayed in their operations. That is, whether it is good from an economic standpoint that we should allow such low rates of taxation at this time, and to issue bonds to get money to carry on the war. We are faced with an inflation of prices such as this country never saw. It began with the outbreak of the war in Europe. We then began to issue more money in this country. We have inflated the per capita circulation from $34.35 in 1914 until it is $49.70 per capita at this time. Practically all of that inflation took place before we entered the war. The result of that inflation was that prices went up and up and up until when we entered the war there had been an increase of over 50 per cent above prewar prices.

Of course, not all of that increase in prices was due to the inflation of circulation. Some of it was due to the laws of supply and demand. The least part of it was due to such laws. The most of it, in my judgment, was due to the fact that we inflated the circulation in this country and that there was a great return of American securities held in Europe prior to the outbreak of the war, those securities being sent back and resold in this country, which furnished a basis of credit and thereby business was stimulated and credits inflated and prices grossly increased. In addition to that, of course, was the fact that foreign countries were permitted to float their own securities in the United States to the extent of—I do not know how much—perhaps as much as $2,000,000,000, and that also furnished a basis of credit and aggravated the inflation.

But the fact remains that we have had an increase in prices of the necessaries of life since we went into the war of 21 per cent, according to the statement issued the other day by the Department of Labor. Now, we have not inflated the circulation very much since we entered the war. But we have issued bonds to the amount of billions of dollars. The bonds that have been issued in this country have been used largely as a basis of credit. There has been a tremendous stimulation of business. There has been a great increase in circulation due to that fact, and the result is that we have had this further increase of 21 per cent in prices since we entered the war. That great increase I attribute principally to the fact that we have been financing this war with bonds instead of financing it with taxes. The result, stated in another way, is that a man who had a dollar last April now has only 79 cents. The men with money all did one of two things. Either they were content with what they had, as far as a man with money is ever content with what he has, and they invested it in tax-free Government bonds and hid their money away so that we could not take it to help pay for the war, or they put it out and started it to work doing something. A man can not afford to hold idle money when it is going down as it has gone down in purchasing power during the past year. A man can not afford to hold idle money to-day, because it is going down still further, if we continue these bond issues. Therefore, he has got to put it into business or industry. And what is the result? There has been a tremendous stimulation of industry. Business is stimulated to a point that this country never saw before.

The inflation of circulation and stimulation of business has made money plentiful, it has fallen into the hands of almost every class of citizens, and the people of the country are going on a joy ride of extravagance and financial profligacy. That applies to all persons more than professional men and those working for salaries; they have had the least out of this change. Practically all other classes are spending money with a free hand as they never did before; they are consuming more than they ever did before; they are eating more food and better food; they are throwing more food away; they are throwing away money on automobiles, fine clothes, and luxuries as they never did before. All this means a waste of our strength and resources. Business is so stimulated that there is a greater consumption of raw materials of all kinds. There is a congestion in transportation; there is a general riot, as you might call it, of waste, lost motion, and extravagance going on all down the line. This does not injure alone the people who are spending the money, it does not hurt alone those who are wasting it, or the business men who are making the money freely and spending it in the same way; it hurts the Nation and it hurts the country as a whole and hinders us in carrying on the war.

Now, I have got to the point. It seems to me that every man who loves his country would want to devote its energies to essential things. We are giving too much of America's strength to things that have no relation to this war. Not one-tenth of our possible strength is going into pressing the war to victory. Men are busying themselves with making money. No man has the right to make money at this time beyond his absolute needs. We must curb business activity by laying a heavy tax on its profits; we must take away the inducement to profiteer; we must turn back into channels of war use all the waste of raw materials and muscle now consumed in profit-making business enterprises; we must release for war purposes the men, the capital, and the materials which have been diverted to activities which have no bearing on the war. This can be done effectively only by heavy taxation on profits.

Mr. FISHER. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. The gentleman from Tennessee asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. FORDNEY].

Mr. FORDNEY. Mr. Chairman, I want to speak of the Federal farm loan banking system. I never had any faith in its success or the wisdom of establishing that system. I am now more thoroughly convinced than ever that it is a failure, and in many instances frauds are perpetrated on the Government. The people of this country at this time are called upon for taxes and loans by the billions and tens of billions, while at the same time for this Federal Farm Loan Board large sums of money have been appropriated and squandered. The law provides for annual detailed reports, which have not been made. No report was made for that portion of the year 1916 after the enactment of the law, some five months. But a report was made in 1917, not in detail, not in an intelligent manner, not in such a manner that anyone can figure out whether the system is a success or failure, except to show that in the appropriation of $460,000 for expenses an additional sum of $540,000 was taken from the money secured from the sale of bonds. Some 3,800 associations have or had been formed up to the time the report was made on the 30th of November last. That number of associations was created or approved of throughout the country, and the bank located at Spokane, Wash., showed a loss of over $62,000 up to that time.

I have here a carefully prepared statement of the operations of this law and the board created under that law. To my mind it is most startling in that it squanders the money of the people now raised at a time when we need money so badly for carrying on this great war; that it is the next thing to criminal in spending the money in this way. The loans made by this board are not the best loans in the country. They are made chiefly to men who can not go to their local banks where they are known and where the property is well known and obtain the desired loan. I know of an 80-acre tract of land that sold some five years ago for $3 per acre on which this board has made a loan of $15 per acre.

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. GARRETT of Tennessee. Has not that land been changed or improved?

Mr. FORDNEY. Not a particle; no improvements from the time it was sold until now. There was no timber on it when sold. It is a most startling thing, and I only mention it because it is startling.

Mr. STEENERSON. Will the gentleman yield?

Mr. FORDNEY. Yes.

Mr. STEENERSON. Was not the money borrowed on the express agreement to improve this cleared land?

Mr. FORDNEY. I do not know, but I do not believe so.

Mr. STEENERSON. Does not the gentleman believe the fact that the farm-loan banks have loaned money to farmers at a low rate of interest, say 5 or 6 per cent, has encouraged agriculture?

Mr. FORDNEY. I doubt very much if it has. Let me say to the gentleman that in their great anxiety to get into business that board, as herein stated—and I take it from the official statistics—has borrowed money on their bonds at 4½ per cent and invested the money in liberty bonds at 3½ per cent, a loss of 1 cent. That is in order to get into business and do something, and furnish positions for men without actual experience in finance. Let me call the gentleman's attention to a statement here; and this is not my statement, but I take it to be correct, because the party making the statement claimed to know what he was talking about:

> None of them (the members of the board) had any previous experience in large-scale banking, business, or financial affairs. Some were politicians and others were connected with farmers' organizations or with benevolent funds, while most of them, including members of the board, favored Government aid, control, and ownership.

Then this man whom I quote goes on and states that some of these men have socialistic tendencies in favor of Government ownership of everything. Down with the Stars and Stripes and up with the red flag is their motto generally.

Mr. STEENERSON. Who is the author of this?

Mr. FORDNEY. A Mr. Ingalls, whose name I shall print with a statement—an editor in the city of New York.

Mr. STEENERSON. I would like to say to the gentleman that the activities of the farm-loan banks in my district have been very beneficial. At the time they started business it was difficult for farmers to obtain renewals, on account of war excitement. A great many insurance companies and large lenders on farm mortgages had refused to extend their loans, and it came at a time when it was absolutely necessary to have some assistance.

Mr. FORDNEY. I have no doubt that many of the loans are meritorious and made in good faith and on good security; but I say the major portion of them, in my opinion—and that was my opinion when we were passing the law would be the result—are made to men who can not borrow money from men who know them and know the value of their property.

Mr. STEENERSON. I can say that several hundred thousand dollars have been placed in my district, and I believe they are absolutely safe. They are placed as first mortgages on cultivated land, and they have been careful in that section to loan money only for the purpose of improving the land or paying off another mortgage.

Mr. FORDNEY. I want to accept the gentleman's statement as correct, because I know the people of his district are honest and intelligent, for they show their intelligence by returning to Congress so often my good friend.

The CHAIRMAN. The time of the gentleman from Michigan has expired.

The statement heretofore referred to is as follows:

A REVIEW OF THE FIRST ANNUAL REPORT OF THE FEDERAL FARM LOAN BOARD.

[By R. Ingalls.]

INTRODUCTION.

This article relates only to the 12 Federal land banks and to the National Farm Loan Associations in each of their respective districts through which they make loans.

The other parts of the system, i. e., private concerns organized under State laws and appointed to serve the Federal land banks as agents, of which there are four, and joint-stock land banks, of which there are also four, are not discussed.

The Federal Farm Loan Board consists of four members, whose appointment was made by the President and confirmed by the Senate, with the Secretary of the Treasury ex officio the chairman. None of these has had any special training in farm finance.

The board appointed the registrars that serve as trustees for the bondholders, the appraisers that pass upon the loans, the director of the Federal land banks that make the loans, and the examiners that inspect the system.

None of these officials, although they have entire charge of the lending and bonding operations, can be identified with any other mortgaging or banking system or institution. This is by express provision of law.

As a fact none of them had any previous experience in large-scale banking, business, or financial affairs. Some were politicians, and others were connected with farmers' organizations or with benevolent funds, while most of them, including members of the board, favor Government aid and ownership.

That is to say, they are socialistic and are opposed to private enterprise and to the mobilization, through cooperation, of the farmers' credit and other resources, or the ideas that started the movement for improving agricultural conditions.

All this is shown by their individual words and actions, as well as by the board's report, and may be one of the main causes of the unfortunate situation into which the system has fallen.

This article, in an abridged form, first appeared in the United States Investor, of Boston.

CHAPTER I.

On August 7, 1916, or three weeks after the Federal farm loan act was approved, the Federal Farm Loan Board started the work of organizing its system.

According to the act the board must require quarterly statements of its associations and banks, and publish consolidated statements thereof. This it has not done, nor has it made any orderly publication of its rules and regulations.

The board must also annually make a full report of its operations. It made no report in 1916, although at the end of that year it asked more money of Congress for heavy salaries, which was granted.

The first annual report covers the 16 months prior to November 30, 1917, but contains very little from which the true state of the financial and other affairs of the system can be determined. The report is dated December 29, but copies of it were not generally distributed until late in January and February of this year. Secretary of the Treasury McAdoo, the chairman, thus hints at a motive for this shortcoming:

"There is a small minority of bankers bitterly opposed to the system. They now think they have found their coveted opportunity to attack it. Their first step has been to instigate a call for a report of the 12 Federal land banks. * * * Their next movement will be to institute a suit testing the constitutionality of the Federal farm-loan act * * * to alarm investors who have already bought the bonds and to dissuade others from buying bonds." (Borrowers' Bulletin, January, 1918, official.)

So the absent information about these banks, which are involving the Government in their enormous present and future liabilities, must be sought from outside sources, with the dim light afforded by this meager report and some bulletins of the board.

From these it is learned that by December 1 last the board had granted, or was about to grant, charters to 3,814 associations, or about two for every three rural counties; that through them the Federal land banks had approved $105,136,529 loans and closed $29,824,655 of them, and were to permit another large portion of them to be withdrawn at a loss of the expense in getting them; and that applications for $114,624,211 more loans were pending and others were pouring in by the millions upon millions of dollars.

Also it is learned that the Federal land banks had impaired their $9,000,000 of capital stock by $540,000, although they and the board had received $460,000 for expenses from Congress. The deficit of the land bank at Spokane was $62,531.07, while there is nothing to show whether the condition of the other land banks is any better or worse.

So since the board has made no financial statement, it may be assumed that the business cost the Government at least 3.56 per cent of the closed loans, or over 1 per cent of the approved loans. To recoup, the board allowed the Federal land banks an interest spread of only one-half a point.

True, the spread is to be taken yearly out of unpaid principal, and all the loans were made for long terms. But it is plainly too small for placing mortgages on the books, and so means a loss for an indefinite period, in view of the constantly swelling volume and heavy cost of new loans.

Whether the earnings gradually and normally resulting from loans closed on even a wider spread would ever be large enough to meet defaults, collect dues, find investors, and generally to conduct the business is open to doubt, unless the land banks reform their practice—on which I will comment below—of financing 36-year loans by 20-year bonds.

Then after the Federal land banks had issued $26,970,000 of bonds their sales stopped and they found themselves saddled with a big mass of approved loans and some engraver's bills, without cash to meet their obligations or to continue business with.

The claim that the liberty loans interfered is true, of course, although they were oversubscribed $1,035,226,850 and $1,617,532,300, respectively. But it is somewhat surprising that the board did not appeal to the Secretary of the Treasury and try to obtain from this $2,652,759,150 oversubscription the relatively few millions of dollars which the land banks then needed.

Perhaps all that would have been required, if the board and its system possessed public confidence, was to show wherein the farmers are in want and that the 4½ per cent farm-loan bonds are exempted from taxation and deemed "instrumentalities of the Government of the United States." (Federal farm-loan act, sec. 26.)

This would have been more just than to have taken the money out of the liberty loans, as was, in appearance, subsequently done.

The inference is that the Federal farm-loan system is as useless in war as prophecy said it would be in times of peace. In the face of the fact that the demand for prime farm mortgages is actually greater than the supply, the poor sales of Federal land-bank bonds can not logically be ascribed to the general condition of the money market.

So overanxious was the board for action that it could not await mortgages for security. It bought $10,139,529 of United States bonds and certificates at 3½ per cent. (Report of Comptroller of the Currency, 1917.) If it authorized the issue of a corresponding amount of 4½ per cent bonds against them, it caused the land banks to lose 1 per cent interest thereon; and such appears to be the case, since the first bonds are dated May 1, while the first loans were not made until the summer of 1917. (Borrowers' Bulletin, January, 1918.)

CHAPTER II.

So the causes of the collapse must be sought within as well as without the system. But whatever they may be, these banks were for the time being "in virtual bankruptcy," according to Senator PENROSE (CONGRESSIONAL RECORD, Dec. 18, 1917), although the Government had advanced them $8,891,270 free of their capital stocks, appropriated $460,000 more for their expenses, and given them rent free headquarters and the free use of the mails for their bureau and various free services of the departments of the Treasury, Justice, and Agriculture, besides total tax exemption.

If the amount represented by these privileges were thrown upon the land banks instead of upon the taxpayers, this Government farm-loan system would be more expensive than any other and could not endure.

In December, before filing its report or making a budget, the board went before the Senate and House Committees on Banking and Currency. These committees, without giving previous notice to the press or even a chance for opposition Members to be heard, drafted a bill and hastily railroaded it into a law which authorizes the Secretary of the Treasury to purchase at par $200,000,000 of the land banks' 4½ per cent bonds within this year and the next.

These banks will probably lend one-half of the proceeds at 5 per cent and the remainder at 5½ per cent, making a gain of $1,500,000. They will also save the discount of perhaps 5 per cent at which the bonds would have sold if they had been dumped on the market, thus gaining $10,000,000 more.

So this purchase means a new subsidy of $11,500,000, not to speak of the vast public fund it has immobilized. If this calculation seems too large, it certainly could not be reduced below the discount at which the Government's own bonds are now selling.

The secrecy and haste of the board and Congress, like the inchoate report, naturally invite unpleasant surmises. Indeed, the mere enactment of the bill argues something wrong with either the system or its management, and probably both. So it may be asked whether suspected incompetency deserves concealment or whether a system apparently so defective is itself worth the staggering price the taxpayers are going to pay.

Commissioner Norris excuses the Government's assistance of the Federal land banks by comparing it with the temporary relief to be extended through the War Finance Corporation to private enterprises necessary or contributory to the prosecution of the war. (Commercial and Financial Chronicle, Mar. 9, 1918.) Apparently he overlooks the special purpose of that corporation and forgets that the Federal land banks have been enjoying the cash and credit of the Government and every other imaginable privilege from the start and have not made good with them.

To be accurate in his comparison, the commissioner would have to assume that the War Finance Corporation had become overwhelmed by debts, and that it was saved from a breakdown by the Government's buying up its obligations and taking over the management. The commissioner's specious arguments and their reaction upon himself are a not unusual consequence of the reasoning by analogy into which he was tempted. Analogies are for rhetoric rather than for logic and can not deceive anybody that thinks for himself and is patient enough to analyze.

But it is by analogy of the Federal reserve banks that the Federal land banks were instituted, to be dominated by the Government under a special act in derogation of free banking laws. It is by analogy of the Nation's asset currency that a bureau was established in the Treasury Department, through which owners of farm land may transform their notes and mortgages into governmental paper and cash them at their face value. It is by analogy of the fiscal services and the circulation privilege of national banks that land banks are authorized to issue bonds deemed instruments of the Government of the United States and to receive deposits of public funds at low interest rates.

And it is by analogy and its fallacies that Congress will be expected to duplicate for loans to farmers every dollar that it may hereafter appropriate for any other object, public or private, so long as this politically incepted system, freed from civil-service rules and placed in the hands of appointees detached from the banking and financial world, shall continue in existence with the powers which it possesses to bestow or withhold favors according to district, State, or person.

The Federal farm-loan act is the reverse of the doctrine that President Wilson taught as a private citizen, professor, and writer, as shown by the following passages in his History of the American People, volume 5, page 103:

"Errors of opinion began to prevail there (the South during the Harrison administration) as in the new regions of the West like those which swept through the crude Colonies in the unquiet days which preceded and followed the War for Independence—hopes that the credit of the Government itself might in some manner be placed at the disposal of the farmers in the handling and marketing of their crops."

That Mr. Wilson held to these views, so contrary to the act, after he became President, until he changed them for some unexplained reason, is evidenced by an address delivered before Congress on December 2, 1913, in which he said:

"The farmers, of course, ask and should be given no special privilege, such as extending to them the credit of the Government itself. What they need and should obtain is legislation which will make their own abundant and substantial credit resources available as a foundation for joint, concerted action in their own behalf in getting the capital they must use. It is to this we should now address ourselves. But we must not allow ourselves to depend upon extraordinary expedients."

CHAPTER III.

The regrettable thing is that not one-tenth of the $209,351,270 already appropriated will, if the present course be pursued, increase agricultural production at all. (Commissioner Norris, quoted in CONGRESSIONAL RECORD, Dec. 18, 1917.)

Over 90 per cent of these Government loans will be closed simply to enable some favored rural landowners to exchange old for new mortgages at lower interest rates. The only effect so far has been to help in this way about 30,000 of a special class at the expense of the rest of the people. Tenants, of course, can not be helped, and they range anywhere up to 50 per cent of the 13,800,000 farmers. (Agricultural Yearbook, 1916.)

The board openly avows its intentions by a pamphlet, which it significantly entitled "Old Mortgages for New" and widely distributed among farmers. This official document adroitly assails the business of private banks and lenders, conveys the idea that current charges and interest rates are excessive, and explains to the borrower how he can get easier terms by transferring his debt to the Government. (United States Treasury Department, 1916, Circular 3.)

The board is not content with getting only the mortgages of the private banks, it also wants to take deposits away from them. The "banks have had more farmers' money and money derived from farmers' business than ever before." (Id.) So the board published another widely distributed pamphlet showing that national farm-loan associations can accept "savings accounts and pay 4 per cent interest thereon," and suggesting the use of that right. (Id., 1916, Circular 5.)

The associations can issue deposit certificates convertible into bonds, or instruments of the Government. (Federal farm-loan act, sec. 11.) That is to say, the Government practically guarantees the certificates, although it has no power under the act to stamp or certify them, or to control the aggregate amount to be issued. The output of these certificates, together with the bonds of the land banks, could impose a troublesome burden on the Government.

To hasten this liquidation of private mortgage business the board, besides much traveling, is using "methods of mail-order houses" and has sent out "323,828 letters and 2,032,000 bulletins," to which must be added the redistributions and correspondence of the land banks and associations. Also it published a serial article "syndicated to 700 newspaper, having a circulation of 26,000,000," (Annual Report, pp. 6, 26, and 27.) A rather unnecessary expense, since a mere posting of notice suffices when governments offer money below market prices.

The board believes the loans thus drummed up will flow in at $12,000,000 a month, the ultimate limit set by other more enthusiastic officers being the $800,000,000 estimated to be annually maturing of the $4,000,000,000 of recorded farm mortgages. Owing to present high prices of money, the holders of these old mortgages would pay liberally to get rid of them.

Had the board only thought of this, it could have saved the Government much of the expense of this refunding campaign. But since the board was seemingly seeking undivided glory, it must now regret that it failed, in selling bonds, to apply to this the more difficult branch of the business those methods of mail-order houses so successfully used in getting loans.

The Federal land banks will never get back the foreign capital that the board helped to be taken away from agriculture, because the tax exemption, or chief attraction, of their bonds ends at tidewater. Whether the domestic capital that the board started liquidating can be retained depends upon so amending the act as to give effectivity to individual initiative and private enterprise. This the board partially admits by agreeing to some features of a bill for this purpose now in committee. (Id., pp. 21–23.)

The board had "no available figures showing the cost of business. (Letter of Secretary Flannigan, December, 1917.) Nevertheless, in spite of this lack of exact knowledge, it prescribed a flat rate of 5 per cent per annum for loans. This, although subsequently raised to 5½ per cent, is for the reasons stated below still insufficient, and while it may subject the Government to loss can not save the best refunding mortgagors more than 1 point on interest. Moreover, it will be difficult to make all loans at the same interest rate and schedule of charges in a country as large and diversified as the United States.

The borrowers ought to have been obliged to pay prevailing rates, to be reduced after the war if they then appear excessive. This the borrowers could do soon enough under the clauses which enable them to make prepayment and to alter the terms of loans at their own will. (Federal farm-loan act, subsecs. 2 and 5, sec. 12.) The board erred in this. Also it made a blunder in allowing the Federal land banks to issue 20-year bonds and to invest the proceeds in 36-year loans. (Circulars, Jan. 24, 1918.)

CHAPTER IV.

The only means for paying dues on the bonds is the receipts from borrowers in small annual installments. Under the law their principal payments must be placed in a trust fund and can not be used for interest on bonds or any other expenses. (Federal farm-loan act, sec. 22.) The annual interest on each $1,000 bond is $45. According to the board's own amortization tables, each $1,000 loan at 5 per cent will yield only $44.24 interest in the tenth year, and gradually less in succeeding years. (U. S. Treasury Department, 1917, Cir. 7.)

By profitably reinvesting excess yields of the first nine years there might possibly be enough money to meet interest outgo until the nineteenth year. But only $69.37 will be left to pay the $90 interest due in the last two years of the bond.

The tables further show that no land bank, after paying 4½ per cent interest on the bonds and earning 5 per cent interest on loans and 5½ per cent interest compounded on reinvestments, will have more than $598.39 in the trust fund at the end of 20 years for paying principal on any $1,000 of its bonds.

The situation will be even worse, because the trust funds are being reinvested in long-term loans, which still further protracts recovery. The use of principal repaid on new loans for meeting maturing bonds would be robbing Peter to pay Paul, since against each loan a bond of the same amount is being issued. Nor is the capital stock available, since it is gradually to be immobilized in advances to the associations and individual borrowers.

Prepayments on loans might help. But they are not likely to total much, since the borrowers must know they will never get money again as cheap as that now being lent to them. Rather there will be defaults, and costly ones, from deaths, disabilities, crop failures, and panics, not to mention moratory laws. The board says, "Most of the mortgages will run for 36 years, and you (the borrower) may not live until your debt is paid off." (Borrowers' Bulletin, October, 1917.)

The average size of the loans is about $2,000. (Ann. Rept., p. 20.) They are being made "at heavy expense." (Id., p. 24.) Experience of private lenders is that it required about three years and 30 to 50 per cent of the principal to carry such a small loan on default through to foreclosure and a reinvestment of the money. Yet the Federal land banks have not provided for accumulating a surplus for this or "for a limitation of risks" or for a protection against "anticipated losses." (Id., p. 16.)

With the same improvidence they are making loans from day to day as applied for, without matching the loans and bonds in respect to the due dates of either interest or principal. Consequently, even though not one cent be lost on loans or spent in business, the land banks will have no more than $53,839,000 with which to meet at maturity the $100,000,000 of bonds now probably authorized.

The only escape from insolvency is more big appropriations from Congress, unless the future deficit—$46,161,000 from these first issues alone—can be refunded by new bonds. Perhaps such a refund is the alternative contemplated, since the board has full jurisdiction over the system to the exclusion of the courts at vital points.

The registrars are the trustees; they are appointed by the board, but can not bring foreclosure suits or sell the collateral in order to pay the bonds. (Federal farm-loan act, secs. 4, 18, 19, and 22.) No receivers can be appointed for failed land banks, except by the board; and it alone decides whether there shall be any dissolution or liquidation. (Id., sec. 29.) In brief, has a bondholder any right at all that he can enforce in the courts? Even if he has any enforcible right, very little advantage would accrue from it in view of what the borrowers could and might do.

As the act was passed the borrowers can add their costs and also the amount of their obligatory shares to the face of the mortgage, and thus delay the complete recovery of this outlay until the last year of the loan or reduce the funds available for productive purposes. Bonds have presumably been issued against this outlay, thus impairing the guaranteeing value of the initial capital stock, as well as its increases that come from the 5 per cent contribution of every loan granted.

The borrowers can use capital stock for unsecured advances to their associations for expenses; also through these associations, they can deduct one-eighth of 1 per cent of the unpaid principal of each loan at every interest date for commissions; and in this way they can materially reduce the income of the land banks. Moreover, they can not only designate the interest rate and period of new loans, but can likewise alter closed loans in these respects, and by repeated renewals make them perpetual. (Id., subsec. 5, sec. 12.)

In other words, while the board regulates the tenor, term, and effect of the bonds the borrowers can prescribe these qualities for the underlying mortgages. The board has no power to prevent the borrowers from doing this since the act expressly provides that the trusteeing of the collateral shall be "by assignment * * * reserving the right of substitution of other mortgages." (Id., sec. 19.)

This incongruity were bad enough without the other absurdities mentioned; and yet this is not all. Congress can make mortgages on urban dwelling houses as eligible as farm mortgages as the security for the bonds, and may do so to comply with the unmistakable demand of union workmen; and so the security does not rest as it should upon contractual relation between the land banks and their bondholders, but depends upon what Congress might do from time to time.

CHAPTER V.

By reason of these statutory provisions the future security of the bonds has an unknown character and value, while their term is the 20 years advertised plus a possible indefinite extension. Conversely, the bonds can be retired at the land bank's option five years after issue. (Id., sec. 20.)

Owing to the amortization of the underlying mortgages, many must, as a matter of law, be so retired before maturity, because their outstanding principal can never legally exceed the amount of their collateral. (Id., sec. 19.) The bondholder can not be awarded any premium or other compensation for this disturbance of his investment.

Since the bonds are not payable only in gold their redemption might be coincident with some paper-money era, and the constitutionality of their tax exemptions is still to be tested. Such bonds, whether refunds or original issues, must have ups and downs in the market. Quite naturally large institutional investors, like life insurance companies, have announced their preference for the old-style farm mortgage, whose book value always remains the same as its face value. (Interviews with the companies' officers, New York Sun, Dec. 27, 1918.)

In the view of all this, the bare statement of Commissioner Norris that "there is nothing unsound" in lending for 36 years money that must be repaid in 20 years is not altogether reassuring. (His article, Commercial and Financial Chronicle, Mar. 9, 1918.)

Maybe the Federal land banks, with their Government aid can "renew their maturing obligations," as he puts it. (Id.)

But does the commissioner intend that the private joint-stock land banks, soon to be formed in numbers, shall adopt these same practices? If so, then farm finance within a few years will have sunk again as deep into disrepute as it fell in 1893 after the crash of the old farm-mortgage craze.

The security issued under the Federal farm-loan act is actually worse than the kind it was intended to replace. Unless the act or management be reformed deficits are possible, although bad conditions could go on unnoticed for some years owing to the long term of bonds and loans. However, the Federal land banks are "in substance an incorporated bureau of the Federal Government." (Gov. Charles E. Hughes in his opinion on the act's constitutionality.)

Hence the taxpayers must in honor protect the bondholders from any defaults, even though the Supreme Court knocks out the act. The country is perhaps rich enough to bear further heavy appropriations, but it can not so easily endure the setback agriculture must suffer if it relies upon a system organically wrong that has proved itself useless for emergencies.

So there is a reverse side to the sanguine hopes that Commissioner Norris expresses of avoiding the consequences of not properly matching bonds and mortgages. Indeed, from his public announcements in the Chronicle that funds for retiring the bonds are to come from such uncertain sources as the renewal of obligations and from "voluntary prepayment by the borrower and foreclosure for default," it may be concluded that he is experimenting on untried ground, has abandoned true land-credit principles, and is depending on the credit, unfortunately not yet established, of the land banks.

In attempting to refute the true reasons for the predicament of the Federal land banks, Commissioner Norris, discarding the argumentative style, resorts to such denials as "It is a wide departure from the truth to suggest," etc.; and to such unsupported assertions as "It (a land bank) will have accumulated a large reserve, because its business is bound to be very profitable." (Id., Mar. 9, 1918.) However, the commissioner disproves his own case in the same article by making the amusing inconsistency that "an agricultural bank does not pay in the ordinary commercial sense." (Id.)

Instead of requiring the associations to pay their obligatory share subscriptions and the costs of the loans in cash, each land bank has in most cases added these sums to the principal of the loan, and is recouping them by issuing bonds up to the full amount of the mortgages. By thus incurring a corresponding liability for every such increase of capital stock or assets, each land bank is not only impairing the guaranteeing value of its capital stock; it is also preventing its shares, including those held by the Government, from being withdrawn until the maturity or redemption of the bonds.

This results from the provision which forbids capital stock to be reduced to less than 5 per cent of outstanding bonds. (Federal farm-loan act, sec. 7.) Is one-fourth of the capital stock which represents the associations' subscriptions being held in quick assets, as the act requires? (Id., sec. 5.) If not, then it may be assumed that the Government's original stock contribution of $8,891,270 and 5 per cent of the new $200,000,000 appropriation will be a permanent investment.

Supervision, which would seem to be the board's chief duty in the system, is in the case of the 7,638 national banks more cheaply and efficiently done by one sole officer—the Comptroller of the Currency. Being too large for mere supervision, however, and not having enough other legal duties to justify the large salaries and expenses of its members, the board exercises managerial powers to an unnecessary extent, assuming the officers of the land banks to be competent.

CHAPTER VI.

This top-heavy arrangement and duplication of work, giving rise to complications and delays, are also responsible in part for the high cost of business. So it is generally agreed that should the act not be entirely repealed or annulled, the board must be abolished or reduced in size, or else that the land banks must be reduced in number or replaced by one single institution. The board naturally recommends the latter alternative. (Annual Report, p. 20.)

A very important point should here be noted, which is: The Federal land banks are nonprofit making. Being apparently managed for the borrowers' sole benefit, they have no adequate sources for accumulating a surplus; and so, if their bonds go to a discount, they can not easily make good the resulting deficiency in their funds; in fact, their lending operations would be blocked.

The latest bid on the bonds was 99 in a market showing symptoms of a further decline, after an announcement by the board that the Government does not guarantee them. So the depletion of funds might begin almost any time, since all but $104,214,741 of the Government's appropriations were allocated by November 30, last, and since $100,000,000 of this remainder is not available until the next fiscal year, while the aggregate of loans being approved every month equals expectations.

Nevertheless, the act gives the borrower the option to say whether these bonds shall be used instead of cash in making his loan, and allows him to tender them at par in payment of dues on his mortgage and share subscription. (Federal farm-loan act, secs. 12, 22, and 25.)

This favors prosperous farmers, who can buy the bonds at the expense of necessitous farmers who can not buy them. It also deprives the land banks of advantages coming from any premium on their own credit, and will also interfere with the accumulation of surpluses. A similar provision, before repeal, damaged even an institution as strong as the Crédit Foncier de France.

Another objection lies in the method of paying off loans by a series of installments that becomes fixed when once specified in the mortgage. The loan, of course, is the present worth of the series. Consequently if any prepayment should be made a new series would have to be calculated. Prepayments exactly divisible by $25, however, must be accepted if tendered after installments of the first five years, and be "duly" credited on the mortgage, i. e., by a amortization plan. (Id., secs. 12 and 22.) The board admits that "the cost of these new calculations would be prohibitive." (Annual Report, p. 26.)

But costs is not the only possibility. A series of sums different in size from the original installments might not be a valid lien on the mortgaged property, while a new mortgage could not prevail against the rights of intervening third parties to the title. The board suggests a way by which the land banks may account for a prepayment without losing their liens. (United States Treasury Department, 1917, circular 7.)

But this way leaves the installments fixed at their original sums, and so affords no relief to a borrower desiring to reduce his annual dues. It would have been better had the act embodied in the amortization plan the arrangement of the German landschaften or of the American building and loan associations, under which all the mortgagor's payments go into a sinking fund and may be increased or withdrawn with the leader's consent. This would have allowed annual dues to be changed without affecting the mortgage.

Contrary to the case of such an association, however, the obligatory shares of a borrower under the act do not total the full amount of his loan, nor do his credits on them offset his debt, nor may they be withdrawn within the span of a borrower's active life. These shares equal only one-twentieth of the loan, and their only relation to and

effect upon it is to increase the borrower's actual interest 5 per cent over the written rate in the first year and a considerable percentage over the written rate in subsequent years.

The product of $50 at 5 per cent annually compounded for 36 years is $343.60. This is the addition to interest that the borrower pays for a $1,000 loan. The only part of the $50 that he can ever withdraw is what his double liability may leave of it in some future generation. Nevertheless, this assessment will not help the land banks much in accumulating funds, since it will be nearly all absorbed by the interest on the bonds issued against the shares.

The board attempts to square this with the farmers by speaking of dividends to them. (United States Treasury Department, 1916, Circular 3.) But it does not explain how borrowers can make distributable profits out of themselves. The whole thing is a badly modified adaptation of Austria-Hungary ideas, and looks like camouflage to cover up overhead charges of a cumbersome and costly system.

Eventually the borrower will see through it and realize that he is paying more than the apparent interest, and that he can not easily rid himself of his long-term obligations; also that he can not, without probable foreclosure, sell his mortgaged farm or pass it on to heirs unless the new owner is eligible for membership in the association guaranteeing the debt. (Federal farm-loan act, sec. 12.) The board has ruled that no executor or administrator, as such, can be a member of an association.

The inconveniences of these features, irritating and worrying the borrower, will necessarily affect the moral risk of the loans. To make matters worse, during the last two years members of the board, like political campaigners, have exaggerated the financial distress of the farmer and promised that the Government would get him money at impossibly cheaper rates than those of private lenders. (See speeches of Chairman McAdoo and Member Quick.)

CHAPTER VII.

In a similar vein the board gives assurances that the Government will soon be making loans without any delays or "economic waste" in examining titles. Since one of the land banks turned down only two titles out of 1,056 examined, the board seems to deduce "that the mortality of the average run of farm titles in this country is no greater than one-tenth of 1 per cent." (Annual Report, p. 21.)

One year's experience of just one lender, and that lender being a newly formed Government bank, is a poor criterion by which to strike averages for use in revolutionizing the land-title business of the entire United States. But this is exactly what the board proposes through an amendment of the act, which "we shall suggest at some future day, with every confidence that its necessity will be as readily recognized by Congress as by ourselves." (Id.)

The board leaves the details of this innovation to the imagination, but by obscure sentences indicates that it will make the loan requirements of the Federal land banks "less exacting than those of other institutions," but will at the same time protect them from "a largely increased percentage of bad titles," that would naturally result from such leniency. (Id.) Statements like these, while they may attract applicants for loans, are not, of course, intended for investors in the bonds.

The Federal land bank at Louisville, Ky., after having granted a $1,200 loan to an Ohio farmer, George Neundorfer, charged him $139.99 for expenses, etc. This is nearly 12 per cent of the principal or considerably more than the usual charges of a private lender. Mr. Neundorfer requests, "so as to save other farmers from disappointment," that publicity be given of the following items:

Application	$0.50
Application fee	5.50
Appraisal	4.00
Bringing abstract down to date	2.25
Extra abstract work demanded by bank	65.00
Affidavits	2.50
Stamps for note	.24
5 per cent of principal for stock	60.00
Total	139.99

Unquestioably the various defects in the act and errors of managing the system are why the board had to get $200,000,000 in January from Congress. And Congress, evidently alarmed by them, provided in making the appropriation that as long as the Government holds any of the bonds or the majority of the stock of the Federal land banks it shall continue in control.

But since the system was established upon the solemn promise that it was to be cooperatively financed and managed by the farmers, and since influential farmers' organizations are insisting upon that promise, the borrowers will probably get the control back again. The country was reconciled to the system by similar arguments, and everybody thought that it would be extended only gradually as the farmers proved their ability for it.

But the board went wild in its discretionary powers, and tried to do within a few months what could not rationally be expected inside of many years; and now through these amendments it hopes to hide or avert the trouble which its reckless course brought upon the system.

Disloyalty to cooperative principles has given the board about the same standing among farmers that it enjoys among bankers on account of its novel financial methods and lack of conservatism. It is incredible that a body of intelligent men, attached to the Treasury Department and knowing war conditions, should have authorized the land banks to make enormous commitments without first finding the money for meeting them and to grant cheaper loans than justified by the cost of business and the rate at which money could be borrowed on bonds.

Such practices would subject any private State or National bank to official investigation, and they exemplify how easily one depending upon public funds and the Government's credit can drift into evil ways.

If Congress had refused to give the $200,000,000, some members of the board and some officers of the land banks would undoubtedly have been compelled to resign. The appropriation staved off disaster but did not save reputations.

The worst that was predicted does not now look improbable. The Reclamation Service was to be repaid its expenditures by 10 annual installments from each settler on the land benefited. These installments, although not drawing interest, had to be extended to 20 years. Then the Government, in order to avoid stoppage of work if not insolvency, gave the service $1,000,000 and authorized it to issue $20,000,000 of bonds, and has so far invested $114,044,801.26 in it within 15 years. The farm-loan system in a little over one year has about trebled the Government's loans to private individuals.

The creation of bureaus is a means by which Congress delegates legislative power or assigns executive or judicial powers to avoid direct responsibility for the expenditure of taxpayers' capital or other consequences and to contravene the orderly division of government established by the Constitution; and if democracy falls it will be through them.

When a bureau has once been created Congress usually forgets it and does not again awake to the dangers of it until called upon for appropriations to make good the waste and loss occasioned by the reckless exercise of its unsupervised discretion. Not unfrequently those appointed to manage bureaus could not be elected by popular vote to anything.

CHAPTER VIII.

It may not be amiss to recount a few of the alleged happenings so far in the Federal Farm Loan Bureau. Congressman FORDNEY says he himself sold a piece of land for $2.50 the acre which the purchaser claims to have mortgaged to the Government at $15 the acre. (CONGRESSIONAL RECORD, Jan. 4, 1918.) Senator MCCUMBER asserts that he has information from a great many sources that in certain sections of the country loans are being made for more than the full value of the land upon which the loans are being taken. (Id., Dec. 17, 1917.)

Some credence to the Senator's remark is given by Commissioner Norris himself when, in apologizing for letting each of the Federal land banks become in the main a refunding institution, he says: "It must make loans partly for refunding purposes, because it can make no loan except on first mortgage, and most farmers have existing mortgages on their lands." (Commercial and Financial Chronicle, Mar. 9, 1918.) Thus by the commissioner's own admission most of the loans made by the Government seem to exceed in amount the limit set by the liquidating private lenders.

The price of cotton is not fixed. Southern planters, it is alleged, are hoarding cotton, and have resorted to the land banks for support until its price rises to 40 cents the pound, etc. Although these rumors may not be fully substantiated, they are not more ugly than some of the board's own official statements and records.

As a sample, the board commends as "simple words full of human interest" the following remarks of a 72-year-old man, eligible for a loan to be wiped out when he is 108 years old: "We own our land and want to improve it, and are not particular how. We are not beholden to Uncle Sam, but do appreciate," etc. (Annual Report, p. 9.)

A South Carolina country banker says, so the board approvingly relates: "There is nothing that would do us so much good as to dump in this State sufficient money to take care of our standing loans, which, if not directly, are indirectly composed of farm loans. (Id., p. 7.)

Such trivialisms were unbecoming the report of a great system, but they are of service in showing the bias of the board. Title abstracts of irresponsible people were tendered by associations in district 12. (Borrowers' Bulletin.) "Most loan committees and directors approve loans that are excessive" in the associations of a certain other district. (Id., January, 1918.) The Federal land banks may lend to "alien residents" on land "rented" and "not under cultivation" and in drainage and irrigation districts, despite risks which the board admits. (Annual Report, p. 15.)

Thus the security is not all as good as the mortgages offered by many a private company, and it is also somewhat different from the promised kind. It is not necessarily a small improved tract tilled by the borrower's own hand under official inspection. In fact, all the boasted statutory restrictions are nugatory as safeguards, since by other provisions of the act their violation does not invalidate the mortgage nor oblige these borrowers' banks to foreclose. (Federal farm-loan act, subsecs. 10 and 11, sec. 12.)

Hence they can legally take any kind of mortgage. Moreover, the board, discouraged by the task of helping small farmers economically, recommends that the maximum for loans be raised to $25,000, so as to increase the proportion of profitable business. (Annual Report, p. 25; also Secretary McAdoo's 1917 Report.) That is to say, if the board's advice prevails, the original intent of the act would be modified to no good for the security, while the privileges of the system would be utilized by planters and other big speculative landowners, who could just as well be financed by private capital and who have not the remotest right to Government aid or special favors.

By contrast with itself and on the very pages whereon it tells of drumming up millions of dollars of farm loans, the board, however, issues a note of warning and despair. "Directors of the land banks are inclined to look out for the interests of their own States." (Annual report, p. 11.) Most of the officers and directors of one bank and some in another of the banks were, in fact, compelled to resign. (Id., p. 12.)

There is "doubt whether competent secretary-treasurers can be secured" for the associations. (Id., p. 24.) Incidents like these, even though they should occur in only one of the Federal land banks, would affect all of them by reason of their mutual liability; so it is to be hoped that none of these loans was closed. "In many parts of the country the organization of national farm loan associations is inspired by a desire of individuals to create jobs for themselves." (Secretary of the Treasury McAdoo, Feb., 1917.)

Here is one of many instances to show that Mr. McAdoo has not overstated the truth: A real estate agent formed an association, made himself secretary-treasurer, and got the members to buy land from him. The land was "all unimproved, timbered, and undrained." The members were "all irresponsible tie-cutters and possessed no live stock or any farming tools" and "couldn't possibly handle five acres apiece," let alone the 80 to 160 acres apiece that he had sold to them. (Borrowers' Bulletin, Jan., 1918.)

There must be a whole lot more that the board has not divulged, else it would not have concluded that "it is doubtful whether the management and control of any bank can be safely delegated to the borrowers." (Annual Report, p. 13), nor have come out as it has, practically in favor of "one single bank," in which the farmers shall have no voice. (Id., p. 20.)

Be it known, however, that no borrower has so far had any say. All officers and directors of the Federal land banks were appointed by the board, and none can act without its authority. The board should not try to escape any deserved censure by hiding behind the farmers.

NEW YORK CITY,
307 East Seventeenth Street, March, 1918.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Pennsylvania [Mr. FOCHT].

Mr. FOCHT. Mr. Chairman, before making some brief observations along the line of the suggestions made by the gentleman from Alabama [Mr. HUDDLESTON], I ask unanimous consent to

extend my remarks in the RECORD by inserting therein an editorial which I recently wrote for my home publication headed "The true spirit of 1918."

The CHAIRMAN. Is there objection?

There was no objection.

Mr. FOCHT. Mr. Chairman, this true spirit in 1918 was referred to by the gentleman from Alabama [Mr. HUDDLESTON], and my conception of that spirit as enunciated and amplified in the editorial is this: The gentleman thinks that corporations should pay more taxes. I am in hearty accord with that, provided you do not go too far; that you do not go so far as to destroy their activity and hence the taxing value of their properties. I believe, according to statistics, that the purchasing power of the dollar is just about one-half what it was in 1914. In view of that fact the only possible hope for the existence of the salaried man and the laboring man is that a readjustment be made by increasing their salaries. When you increase the wage then the net income of the corporation referred to is necessarily reduced, unless it is made up by increased prices. I am in accord with the gentleman from Alabama, providing, as a gentleman stated here the other day, some one will tell me when a pig becomes a hog. In other words, just how far are you going to tax these corporations so as not to destroy their usefulness or depreciate the taxing asset and their productiveness.

I have gone so far with that view that in this article I speak of I assume a certain advanced position. I do not believe that the article is a classic, such as is "The American's Creed," which should be dedicated to the P. O. S. of A., the Jr. O. A. M., and other patriotic societies of the country, written by my friend Mr. Tyler Page, an attaché of the House, and for which he received $1,000 from a newspaper in Baltimore, embodying, as it does in 20 lines, the broadest possible conception of the fundamental principles of this Government, of the rock upon which it rests, of the war, its objects, and the fruitage of the final triumph over German autocracy, if not savagery. But this little editorial article says this, and I shall be personal, because I have a sense of pride in the fact that I have conducted a newspaper plant for more than 37 years, though I am sure I do not look it, and in all that time I never discharged a man nor reduced a wage, but always raised a wage. In this crisis I raised the wages of every man in the place, and I made this announcement under the caption of "The True Spirit of 1918," that in order to meet the depreciated purchasing power of the dollar, we would raise the wages, but not raise the price of the paper nor of the business production in any detail, upon the theory that this is no time for accumulation, but that every resource and every energy of the country should be applied to winning the war. Therefore and therein I agree with the gentleman from Alabama that, if necessary, you go right straight up to the limit of the profit of corporations above their fixed charges, sinking fund, reasonable dividends, bond interest, depreciation, and so forth.

The CHAIRMAN. The time of the gentleman from Pennsylvania has expired.

Mr. SMALL. Mr. Chairman, I yield five minutes more to the gentleman, and I suggest to the gentleman that before he concludes, as a part of this interesting symposium he is giving, that he include a word of approval of the river and harbor bill.

Mr. FOCHT. Well, of certain portions of it, that is, the navigable part. I do not like the aeroplane portion of the bill, that which provides for the further raising of the bed of the Mississippi River, which is now much higher than the adjacent land. I at least am prepared to pay tribute to the ability and certainly the sincerity of our friend who has so ably championed this bill, and, notwithstanding the assaults that have been made by various Members upon the provisions of the bill, I must say I admire his challenge to the House, not only as an exhibition of courage, but as one of confidence and assurance, evidently born of full knowledge and certainly of honesty of purpose, or he would not have asked the Members of the House to produce one single case provided for in the bill that was on dry land or where the willow trees grow through the bridges, or where they had to use artesian wells to raise a fog in the neighborhood.

In other words, Mr. SMALL did this, and it impressed me. He offered a challenge to my eloquent and able committee friend, Brother FREAR, to name an instance, or, as he put it, "Cite me an instance where there might be possible suspicion of graft."

This bill has been called a pork-barrel bill and a graft bill, and if anything would cause me to vote for it it would be due to my confidence in the manner in which Mr. SMALL presented the case. He is a good advocate. I do not say an apologist, because I am somewhat convinced of the merits of portions of the bill, and possibly I would feel more like voting for it at some other time, for the reason there is nothing you can do with the money if now appropriated that would be helpful in the war, because——

Mr. SMALL. Will the gentleman yield?

Mr. FOCHT. I will.

Mr. SMALL. May I suggest that any criticism of the bill indicating any item in which it would not be helpful in the war would also be welcome.

Mr. FOCHT. Oh, it would; I had no idea that the gentleman would hazard——

Mr. SMALL. This bill was framed under war conditions.

Mr. FOCHT. That is an awful chance you are taking, my friend, because it may take a long while to dredge these little creeks.

Mr. SMALL. Will my friend undertake to mention an item which will not help in the war?

Mr. FOCHT. I was for years a friend of Senator Quay. His home was on the banks of the Ohio, near where Beaver River flows into that majestic stream; where Aaron Burr sailed forth with his flotilla down to Blennerhassett; and there for long years, it seemed as though the years would never end before they got those dams along the Ohio River, and do you expect this war to last as many years as it took to complete the dams I saw them working on there? If so, God help the universe. We will all be under the daisies, and there will be nothing of humanity left, all ground to ashes and translated into another existence.

Mr. SMALL. May I make a further suggestion?

Mr. FOCHT. I am going to be as generous as I can and accept this water bill "jolly," because I want the gentleman to give me time to touch upon the subject which I really had in mind when I asked the indulgence of the House.

Mr. SMALL. I think the gentleman will have that opportunity; but without conceding the correctness of the gentleman's suggestion about the Beaver River, at the present moment does the gentleman know of any project to construct locks and dams——

Mr. FOCHT. On the Ohio. I referred to the Beaver River just incidentally and historically.

The CHAIRMAN. The time of the gentleman has expired.

Mr. SMALL. I yield three minutes additional to the gentleman. I suggest that in the Ohio River 27 dams have been completed already.

Mr. FOCHT. How long did it take to build those dams?

Mr. SMALL. Since the project was adopted in 1910 substantially all of them have been constructed, and since that time with the appropriations carried in this bill we will have 9 feet of water the year around from Pittsburgh to Cincinnati, a distance——

Mr. FOCHT. A very valuable piece of work, I realize——

Mr. SMALL (continuing). Of 460 and odd miles from Pittsburgh to Cincinnati.

Mr. FOCHT. That is eight years ago. I know of a dam that was constructed way back in 1897 or 1898——

Mr. SMALL. But whether the criticisms of the gentleman as of that time are merited or not, I will remind him at least that is ancient history, and we are talking about the river and harbor bill of 1918.

Mr. FOCHT. We want to anticipate what is going to be done to-morrow; that is the idea. What happened yesterday is gone, and the information desired is how to do things to-day. I hope you will be able to work out of the bill something in full harmony with the spirit of the times and in step with the march of advancement, and ultimately result to great good to a great people.

Mr. SMALL. I expect the gentleman to admit it has been done.

Mr. FOCHT. I appreciate the gentleman's great services rendered and would be willing to vouch that some good will follow.

The discussion this morning seemed to be around the question of political management, or management in a political way of the Post Office Department, or, rather, that those who criticized the Post Office Department attempted to make it a political matter. Now, I doubt very much whether there is anybody on this side or the other side who would for a moment attempt to cope with the Postmaster General as a master mind in political manipulation, and I do not say that to his discredit. That is his business, even though his activities may be in bad taste.

By way of digression I just referred to a man whose real virtues will not soon be written at great length any more than it took a hundred years for the popular mind to comprehend the broad, humane purposes of Napoleon Bonaparte, and the great mind and great service of Matthew Stanley Quay can not be seen nor comprehended nor appreciated now, and were not in the

generation in which he lived, for the reason that he had his opponents just as any man who seeks preferment is bound to be assailed. As John Gay said:

He who free from malice would pass his days
Must live obscure and never merit praise.

This may all apply to Postmaster General Burleson. Who knows, and who cares? Nobody.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOCHT. I would like two minutes more, if you please.

Mr. SMALL. I yield two minutes more to the gentleman.

Mr. FOCHT. Now, the gentleman from Indiana [Mr. Cox] had his mind, it seemed, centered upon one idea, and that was that these, what I call observations or information furnished the House, constituted a political assault, or were in the spirit of an attempt to gather some political advantage. I do not think so at all. At least, what I am about to say is not offered through any such spirit.

I read into the RECORD here not long ago a letter from Dr. Warfield, of the Wilson College, at Chambersburg, Pa. Dr. Warfield has a son in the Army in France and is justly proud of him, and he would go himself, as we would all go, if necessary. I did not hear the inflammatory speeches to-day, and I do not care much about these assaults on the question of men's loyalty here in the House or elsewhere. Take it for granted, we are all loyal. When we find some one who is not, we understand what can be done to him. If he stands by any enemy flag he is simply a traitor; and there are laws, I think, to take care of a traitor.

Now, Dr. Warfield told in detail about sending letters to his son and how that son had written him and lamented the fact that he had never received any letters; that of two packages received by him, one was badly crushed and the other had had the contents removed. It seems to me that that ought to be regarded as information; that the Post Office Department should appreciate the fact that we do not condemn their management because they have been overloaded with something that is entirely new, or that the Post Office and the railway post-office clerks of the country are overworked and underpaid, which fact has been established.

Exploring a new field, like delivering mail throughout the camps of Europe, is something quite untried for the Post Office Department. But I can not agree with the gentleman from Indiana [Mr. Cox] as to the nonexistence of such deficiencies. I have just recited this one of many instances. I will now bring something nearer home, which we will be reasonable enough to concede is in part the result of congestion; that is unavoidable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. FOCHT. I would like just one minute more, and then I will surely stop.

Mr. SMALL. I yield to the gentleman one minute more.

Mr. FOCHT. That is with regard to the delivery of mail right here.

I have repeatedly used every possible precaution with regard to the dispatch of mail to my home town, which is 200 miles directly north of here, on the Northern Central Railroad, a line over which the Buffalo trains go from here and from Philadelphia and New York. Probably 50 trains a day go each way past that town on that and another line. And yet the postmaster himself, Mr. Chance, a fine gentleman and who understands his business, virtually told me, when I brought him numerous, not 2, 3, 4 but 50, cases where letters had been mailed here of a night at, say, 10 o'clock and that had not reached their destination 200 miles away, on a run of five hours, for two and three days, even though they had a special-delivery stamp on them. And I found that the only hope of getting letters from here on the following morning after they were mailed would be to take them myself not to the post office over at the House Office Building, not to the city post office even, but actually out into the station, and hand them to the clerk who handles the mail on the car.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. FOCHT. Just one minute in which to finish.

Mr. SMALL. I yield to the gentleman one minute more.

Mr. FOCHT. I am not willing to suggest a new Postmaster General, nor am I able to supply one under this administration. Certainly the Democratic Party could not get a better politician, and it may be that no one else could fill this bill any better at this time, and I doubt whether you could get a better postmaster than Mr. Chance. I am willing to allow the thing to rest as the result of congestion caused by war conditions, but let us hope that Mr. Cox will not consider that these observations, such as I have made—concrete, specific, definite—are offered through any desire to gain political advantage for my party. Let us hope that inasmuch as they exist, and it can not be denied that they exist, both parties act harmoniously in the hope of breaking the embargo or the deadlock in the distribution of the mail on the battle fields of Europe and at home, wherever it may be, and that in this effort there may be accomplishment in the elimination of some of this mail—I do not know what to denominate it, but it has been characterized here to-day, I think, sufficiently well for everybody to understand what is meant by Creel excess of junk. Let there be first dispatched not nonessential mail but personal mail that goes to your family, goes to your boys at the front. This ought to be 100 per cent delivered. By harmonious activity here I am sure that can be accomplished without anyone being subject to the criticism of any Member who has it in his heart to challenge a Republican on the ground that he is making these charges for political advantage.

[From the Lewisburg Saturday News.]

THE TRUE SPIRIT OF 1918.

During this time of war and blood and world desolation the true national spirit is manifesting itself on every hand. That spirit carries the thought and cherished hope, as well as determined resolution, that this Nation shall live on for future generations of free men, and for distant centuries to applaud. In this sacred national spirit the aim is to survive the storm and not to think of profit or accumulation at such a time.

This suggestion comes straight home to the Saturday News at a time when many publications are advancing the subscription price, and justifiably so since the cost of all materials is constantly advancing. But the Saturday News has a covenant with its patrons, and that is that if all pay then our price will remain the same, and every sacrifice will be made to meet our part of the contract. We do not hope nor aim to profit during this struggle to maintain liberty's priceless jewel—just to live it through and win! Although we have met the higher cost of necessaries by advancing our employee's wages, we are not going to advance the subscription price.

BENJAMIN K. FOCHT.

STORY OF THE AMERICAN'S CREED.

The idea of laying emphasis on the duties and obligations of citizenship in a national creed originated with Henry S. Chapin and was first announced by him in Educational Foundations in September, 1916. The contest was to have closed in December, 1916, but patriotic societies, among which the Vigilantes figured prominently, asked that the closing be postponed until Nationwide publicity be given the announcement.

In March, 1917, the city of Baltimore, as the birthplace of the "Star-Spangled Banner," offered, through Mayor James H. Preston, a prize of $1,000. Committees were then appointed to pass upon the creeds submitted. These committees were: (1) A committee on manuscripts, consisting of Porter Emerson Browne, Henry S. Chapin, Hermann Hagedorn, and representatives from leading American magazines; (2) a committee on award, consisting of Matthew Page Andrews, Irvin S. Cobb, Hamlin Garland, Ellen Glasgow, Julian Street, Booth Tarkington, and Charles Hanson Towne; (3) an advisory committee, consisting of Dr. P. P. Claxton, United States Commissioner of Education, and other National and State officials.

Several thousand creeds were submitted to the committee on manuscripts. Fifty of these were turned over to the committee on award, and "Creed No. 384" was selected as the best. The envelope containing the author's name was opened in New York City March 6, 1918.

It was then disclosed that the author of No. 384 was William Tyler Page, of Friendship Heights, Md. His creed was selected because it was not only brief and simple but remarkably comprehensive of the best American ideals, history, and tradition as expressed by the founders of the Republic and its greatest statesmen and writers. Those authorities are appended in the key below. Inquiry developed also that the author was a descendant of a President of the United States, John Tyler, and of a signer of the American Declaration of Independence, Carter Braxton; that he was born in Frederick, Md., the birthplace of Francis Scott Key; and that he attended the public schools of Baltimore, the birthplace of "The Star-Spangled Banner."

THE AMERICAN'S CREED.

I believe in the United States of America as a Government of the people, by the people, for the people, whose just powers are derived from the consent of the governed; a democracy in a Republic; a sovereign Nation of many sovereign States; a perfect Union, one and inseparable; established upon those principles of freedom, equality, justice, and humanity for which American patriots sacrificed their lives and fortunes.

I therefore believe it is my duty to my country to love it, to support its Constitution, to obey its laws, to respect its flag, and to defend it against all enemies.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 20 minutes to the gentleman from New York [Mr. MAGEE].

Mr. MAGEE. Mr. Chairman, I have heard so many charges upon the floor of the House in reference to expenditure of pub-

lic funds that I desire to make a suggestion. It seems to me that the greatest legislative body on earth owes it to itself and to the country to take some appropriate action that will eliminate forever all probable cause for a Member of the House to rise in his seat and charge that public moneys are being unwisely, unlawfully, and shamefully expended.

To this end I have introduced a resolution to amend Rule X of the Rules of the House by striking therefrom the several standing committees on expenditures in the several departments of the Government and substituting in lieu thereof a committee on public accounts. I have not taken this action in any spirit of criticism of the work of such standing committees. Undoubtedly these committees have rendered valuable services in the past. I do not know the full extent of their active functions now. I have heard some discussions in the House, instituted by one of more of these committees, in reference to the appointment of an additional clerk or increased compensation for some employee.

My motive in introducing the resolution is purely in the public interest, and the resolution is not intended to reflect in any manner or degree, directly or inferentially, anything of a personal nature.

I have been impelled to introduce the resolution to meet existing conditions, and particularly in view of the vast expenditures required for the vigorous and successful prosecution of the war. As I understand, the estimated expenditures for the fiscal year ending June 30, 1918, aggregate nearly $20,000,000,000, including loans and prospective loans to our allies. The estimated expenditures for the fiscal year ending June 30, 1919, as stated by the recent distinguished chairman of the Committee on Appropriations last December, aggregate, in round figures, $12,000,000,000, which estimate, in my judgment, is too low, and much more than this amount will be needed to meet the actual expenditures of such fiscal year.

In my judgment, during the period of the war an annual expenditure of $15,000,000,000 is a very moderate estimate. This sum is almost beyond human grasp. As a yearly expenditure it would mean, in round figures $41,000,000 per day, $1,700,000 per hour, $28,000 per minute, and over $450 every second.

The question in my mind, as to these vast expenditures, is, What responsibility rests upon each Member of the House? In my judgment, a greater responsibility rests upon the Members of the House than upon the Members of the Senate, because under the Federal Constitution all bills for raising revenue must originate in the House.

Since the declaration of war the Congress has invested the Executive with tremendous and extraordinary powers during the duration of the war. We, upon this side of the aisle, have most generously supported every measure demanded by the Executive for the vigorous and successful prosecution of the war and will continue to do so. In addition, take, for instance, the act creating the War Finance Corporation. Under that act it would be possible for those vested with authority to carry out its provisions to so abuse their power as to make one man and at the same time to break financially a competitor. We must assume that this law will be executed wisely, impartially, and solely in the public interest. This act also will require the raising of vast sums of money.

It is apparent that to meet the public needs during the war the taxpayers of the country must submit to further heavy exactions, and that patriotic American citizens must subscribe for and purchase, even to the point of great personal sacrifices, many billions of dollars worth of liberty bonds. Our Army and Navy at home and abroad must be equipped and maintained in the most efficient manner. The hands of the administration must be resolutely upheld, and all the needs of the Government for the vigorous prosecution of the war must be supplied by the people of this country.

Taking into consideration that the estimated visible wealth of this country is something like $230,000,000,000, it at once becomes apparent, in view of our enormous expenditures and of our future financial requirements how important it is that our citizens who pay heavy taxes and who subscribe for and purchase most liberally liberty bonds, shall have absolute confidence that the Congress will see that the vast sums of money raised and provided shall be expended by the Government lawfully, wisely, and economically.

In the declaration of war we have pledged all the resources of the country for the vigorous and successful prosecution thereof. In view of the foregoing facts, and in view of existing conditions, and the probable long continuance of the titanic conflict in which the Nation is now most actively engaged, I most respectfully contend that the responsibility of a Member of the House does not end with the authorization of these vast expenditures. There is, in my judgment, an additional grave responsibility resting upon each Member to do all within his power to ascertain whether these vast expenditures required by war are being lawfully, wisely, and economically made. We are entitled to have this information and the country is entitled to have it. [Applause.]

It is impossible, in my judgment, under existing conditions to obtain this information. It is hardly practicable, and probably not desirable that any one of the existing standing committees on expenditures should make a particular investigation and report to the House under the limited jurisdiction of any one of these 10 committees. What we want and should have is one committee vested with the power to investigate all governmental expenditures and report thereon to the House.

My proposed amendment to Rule X, if adopted, will meet the exigencies of the situation. This is apparent from the results obtained and the great public benefits derived from the creation and existence of the committee on public accounts in the House of Commons.

The organization, character, and duties of this great committee have been excellently described by Mr. Thomas Gibson Bowles in his testimony before the select committee on national expenditure in 1902, to wit:

The committee of public accounts is a standing committee of 11 members—I think it has been increased now to 15—whereof 5 constitute a quorum. It was established in 1862; that was the date of the first standing order. The committee is nominated at the commencement of every session by the House of Commons under standing order 57, for the "examination of accounts showing the appropriation of the sums granted by Parliament to meet the public expenditure"—a phrase which, as will, I think, be seen, by no means completely describes the duties it performs, those duties being considerably wider than that phrase would suggest. The chairman of the committee is by usage appointed from amongst the members of the committee belonging to the opposition. Though not restricted to the ground covered by the comptroller and auditor general in his annual reports on the appropriation accounts, the committee in its usual practice is guided by those reports in its selection of subjects for consideration, and of the officials, whether accounting officers or others whom it directs to attend for examination. The comptroller and auditor general calls its attention to the points whereon question has arisen during the audit of those accounts conducted by himself and his staff, and the committee elucidates each point and reports on the whole to the House. Thus the comptroller and auditor general is to a large extent the acting hand of the committee. He detects the points of question, presents them with such information concerning them as he has obtained, and leaves the committee to pursue them further, to consider them, and report on them. It is therefore essential that the preliminary work of the comptroller and auditor general should be well and thoroughly done, or the committee may fail in its subsequent work, and in its final object of securing and enforcing parliamentary control over the public accounts.

The comptroller and auditor general, I may say, always attends the committee sittings, as does also a principal permanent officer of the treasury. Now, the functions of the public accounts committee extend beyond the formality of the expenditure, to its wisdom, faithfulness, and economy. Those functions, it must be remembered, embrace as well the receipt side as the issue side of the account. They amount to an enlarged revision of the comptroller and auditor general's report on his appropriation audit. They supplement the inquiries made by him and his officers in the course of that audit, by further inquiries made by oral examination, not alone of the accounting officer strictly so called, but of any other officials concerned in the expenditures whom the committee may call before them.

Moreover, and this is most important, the functions of the committee extend to a supervision over the form and number of the estimates for the grants in supply, any change in which should be submitted to be approved by the committee before being made, as was done in 1867 and 1881.

The committee has always shown itself, I may say, strongly opposed to any diminution in the number of votes of which the estimates are composed as being calculated to diminish the control over those votes of the House of Commons; it has set its face generally against making large votes of lump sums, and has favored the subdivision of votes rather than their inclusion in one. I have illustrative references here to a number of documents, with which I need not at present trouble the committee.

I may add that the functions of the committee extend to an examination of the executive action of the treasury as regards its compliance with the law. (See Second Report, 1900.) With so wide a horizon, so considerable a freedom in action, and so great opportunities in its methods of inquiry as the public accounts committee possesses, its capacities for public uses are great. It does actually on the appropriation accounts what the House of Commons does theoretically on the estimates, and does it to far more purpose, for it deals not with possibly inaccurate estimates of expenditure, but with the actual ascertained expenditure itself, and has before it for examination not alone a minister often imperfectly informed, but the very officers concerned with all the details of the expenditure, whom, in case of question, it puts upon their defense and elicits their first-hand explanations. As a check upon not merely extravagant or unauthorized expenditure, but also upon unwise methods of management, this committee is probably more effectual than the House of Commons itself. (Financial Administration of Great Britain, by Willoughby, Willoughby & Lindsay, pp. 228–230.)

On page 232 of this work is found the following important statement, to wit:

Another point of no little importance is the fact that this committee, both in its personnel and its work, is essentially nonpartisan in character. With the chairman chosen from "the opposition," there is no danger of the committee passing over delinquencies of the executive as a matter of party expediency. On only two occasions has the custom of choosing the chairman from "the opposition" been departed from. All officials interviewed emphasized in the strongest way possible this high character of the committee and the spirit in which it performs its duties.

Durell, in Parliamentary Grants, on page 134, in reference to this committee, says:

The functions of the public accounts committee which have been so far dealt with are, in the main, those whereby it examines the actual accounts before it with a view to recording its opinion, in the first place, of their correctness as accounts, and, secondly, as to their "wisdom, faithfulness, and economy."

I think that it is entirely feasible for a great committee of this House to act in a nonpartisan manner and wholly in the public interest. I have the honor to be a member of the great Judiciary Committee of the House, and I have never observed any action taken by that committee in a spirit of partisanship. [Applause.]

The power to tax means the power to destroy, the power to confiscate all the property that a citizen possesses. It is a power that should be exercised with the greatest precaution and wisdom, and should be so exercised, particularly in time of war, as to gain the confidence of the persons taxed. Our people are most loyal and patriotic. They are willing to give all they have, if necessary, to preserve free democracies, and for the advancement of Christianity and civilization. They are willing to fulfill our pledge made in the declaration of war—the pledging of all the resources of our country.

We must not shirk our responsibility. If profiteering exists, it must be ruthlessly eliminated. Our boys have been going, are still going, and will continue to go over-seas, ready to make the supreme sacrifice if needs be for their country, and we must unitedly and fearlessly sustain them in upholding the most righteous cause that soldiers and seamen ever fought for. [Applause.]

Therefore, I want to warn you and to impress upon you that the responsibility of a Member of the House does not end with the authorization of vast expenditures. There exists the further imperative duty of seeing that public moneys shall be lawfully, wisely, and economically expended.

We, upon this side of the aisle, the minority, do more than ask you upon the other side of the aisle, the majority, to meet this responsibility; we demand that you meet it in the public interest and for the sake of our common country. [Applause.]

Mr. SMALL. Mr. Chairman, I yield to the gentleman from Pennsylvania [Mr. STRONG]—how much time does the gentleman wish?

Mr. STRONG. Fifteen minutes. I probably will not use that much.

Mr. SMALL. I yield 15 minutes to the gentleman from Pennsylvania.

Mr. TAYLOR of Arkansas. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD.

The CHAIRMAN. Is there objection to the request of the gentleman from Arkansas?

There was no objection.

The CHAIRMAN. The gentleman from Pennsylvania [Mr. STRONG] is recognized for 15 minutes.

Mr. STRONG. Mr. Chairman and gentlemen, what I wish to say will be somewhat in the nature of a report, which I feel, as a matter of duty, I should make to the House at this time, and because of the character of the report I shall make use of figures in the course of my remarks, and to avoid error I have made a note of the main facts I wish to discuss.

No doubt every Member of Congress recognizes the necessity, because of the war, of strict economy in Government expenditures, and I assume that every Member is glad to have facts submitted to justify the appropriation of public money for any particular project. I therefore respectfully call your attention to certain facts which alone will in a large measure justify the appropriations for two projects provided for in the pending bill, which facts no other person could submit unless having first obtained them from myself, or unless first making an investigation such as I made.

That you may understand how I acquired the information I refer to, I will explain that during the year 1900 I was retained by a firm located in New York City to prospect for and to purchase coal lands in western Pennsylvania. My investigations covered several counties, but my principal work was along the Allegheny River, where I found the greatest quantity and best quality of coal. I was employed almost constantly for a period of 15 years in searching for and purchasing coal property. There was no difficulty in finding coal in that country by its outcroppings on the hillsides, but, as in probably all hill countries, there has been more or less disturbance of the strata, creating what are called "faults," in places completely crushing out the coal, it was hazardous when purchasing to rely upon a superficial examination of the territory. Therefore, in order to ascertain for a certainty whether the strata or formations were in their natural position and the coal running an even and satisfactory thickness, I made use of drilling machines for the purpose of testing the coal and other minerals.

The result of my investigation will interest you in connection with the bill under consideration. In a strip of territory about 75 miles long and 5 miles wide on each side of the Allegheny River I put down about 800 test holes with my drilling machines. In connection with this investigation I made a general study of the geological formation of that country, with the following result:

I found that in western Pennsylvania there are 16 seams or veins of coal, 11 of which, at various points, are thick enough to be workable.

You know that because the Monongahela River was improved by the Government some years ago and because of the presence of coal the tremendous tonnage-producing manufacturing plants established in the Monongahela Valley have made that district the most wonderful industrial center in the world, and the same result is bound to follow the improvement of the Allegheny River. While it is not generally known, it is, nevertheless, a fact that there is more coal tributary to the Allegheny than to the Monongahela, and, in addition, the Allegheny district is rich in other minerals, which I will refer to later in my remarks.

It is true the Monongahela can boast of the famous Pittsburgh vein of coal. This vein, like the other strata in western Pennsylvania, rises to the northeast and dips to the southwest. When we go up the Monongahela to where the coal is being operated, we travel south from Pittsburgh. Going north, the last trace of the Pittsburgh vein is found in the top of a high hill in the southwest corner of Indiana County, one of the counties in the congressional district I have the honor to represent. North of this point the Pittsburgh vein is "up in the air," so to speak, and is not found again.

The several seams of coal under the Pittsburgh vein are in the following order:

Name of vein.	Thickness.	Additional depths.	Below the Pittsburgh vein.
	Feet.	*Feet.*	*Feet.*
Not named	0 to 1	88	88
Elklick	0 to 3	190	278
Not named	0 to 1	43	321
Bakerstown	0 to 4	80	401
Brush Creek	0 to 2	119	520

These veins are in what is called the lower barren measures.

We now come to the several veins of coal under the Pittsburgh vein, some of which, rising to the north, come to the surface and outcrop on the hillsides bordering the Allegheny River, and which are in what are called the lower productive measures:

Name of vein.	Thickness.	Additional depths.	Below the Pittsburgh vein.
	Feet.	*Feet.*	*Feet.*
Upper Freeport	4 to 6	83	603
Lower Freeport	4 to 6	51	654
Upper Kittanning	1 to 3	65	719
Middle Kittanning	1 to 4	45	764
Lower Kittanning	3 to 6	38	802
Clarion	1 to 4	70	872
Brookville	4 to 5	30	902
Upper Mercer	1 to 2	45	947
Lower Mercer	4 to 5	32	979
Sharon Block Coal	3 to 4	136	1,115

You will observe that the Upper Freeport, Lower Freeport, Lower Kittanning, and the Brookville are the valuable veins in the Allegheny Valley group. These veins are all accessible for drift mining on the river, except the Brookville vein, which is about at water lever and would be reached with a slope or short shaft.

The Lower Mercer and Sharon veins could also be reached with a shaft, but in view of the quantity of coal in the more easily accessible veins, they are not being considered at present by the Allegheny Valley operators within the zone of my investigation.

While it is true that the four veins of value mentioned as tributary to the Allegheny River, all of which are now being operated, do not run an even thickness over the entire area, in some places where one is thick the others being thin, it is conservative to say, after a careful consideration of my investigation, that they are at least equivalent to one continuous vein 7 feet thick, extending about 75 miles along the river and

averaging 5 miles wide on each side, making 750 square miles, or 480,000 acres, containing more than 5,000,000,000 tons of marketable coal.

I also found the following additional minerals along the Allegheny River, all above water level and easily accessible: Three veins of limestone, one 15 feet thick, which, with water transportation, could be mined and shipped to the furnaces in the Pittsburgh district for fluxing purposes, or it could be burned and shipped by water to enrich the farms along the lower rivers.

Eight veins of clay, some of which are being used at the present time in the manufacture of pottery ware, building brick, fireproofing, sewer tile, silica, or fire brick, and furnace blocks, the latter being used for lining the great furnaces in the Pittsburgh district. These clay veins come to the surface at different points and extend along the river a distance of about 75 miles, finally running out because of the natural rise of the strata. Being easily accessible along the river and its tributaries, it is certain that, following the improvement of the river, the Allegheny Valley will become one of the greatest clay-product manufacturing centers in the United States. The Plaza Hotel of New York City was built of brick manufactured on the banks of the Allegheny River.

I also found seven veins of shale ranging in thickness from 12 to 50 feet, which, used in connection with certain of the clays, make vitrified paving blocks excelling others thus far in competitive tests.

The Mahoning sandstone, 40 feet thick, and another vein 30 feet thick, high in silica and suitable for the manufacture of glass.

We also have along the Allegheny River and its tributaries a vein of iron ore 20 inches in thickness. While this is not of appreciable value at present, I might mention as an interesting fact that from 1830 to 1850 14 blast furnaces drew their supply of ore from this vein, and the iron turned out was transported down the river in flatboats to Pittsburgh. It was from iron made on the banks of the Allegheny River that the guns were manufactured in Pittsburgh with which the Army of Gen. Scott was equipped when in 1847 he fought his way into the City of Mexico.

Beginning immediately on the top of the hills bordering the Allegheny River and along its entire length are beautiful farms, well cultivated and occupied by a highly intelligent people. During the years of my investigation I practically lived with these people. The city daily papers are delivered at their doors, and in the majority of the homes you will find a telephone. These men on the farms nowadays are, as a class, better posted on what Congress is doing than is the average city club man, and I have heard many bitter comments from them and from the business men in cities and towns along the river about the neglect of the Allegheny while other and less promising streams are favored.

I notice in the minority report on the bill under consideration, filed by the distinguished gentleman from Wisconsin, that no particular criticism is made of the item for the Allegheny River, for which I commend his good judgment. In fact, his criticism of the bill is in general terms and somewhat against the improvement of all inland waterways. He points out that the average haul on the Ohio is 28 miles; then adds that the plan for the improvement of the Ohio includes 54 locks, and that of this number the first 20 are not fully completed. The expected results to follow the improvement of the Ohio or of any other stream can only be realized when the work is finished.

I read a recent newspaper item which appeared under the head of "Slack-watering of river boosts business":

PITTSBURGH, *March 29.*

Manufacturers along the banks of the Allegheny River are looking ahead. Already plans are being laid by several concerns for the opening and developing of coal lands in the upper river as soon as that part of the stream has been slack-watered. Millions of tons of coal are awaiting shipment by river, which only will be available when the proposed dams are completed. The Kittanning Iron & Steel Co. and the Carbon Steel Co., with mines on the Cowanshannoc Creek, one of the tributaries of the Allegheny River, 49 miles above the mouth, are making plans for the mining of its coal and for shipment by river to the plants on the lower shores. This mine is in the proposed seventh pool. The coal is said to be of the Kittanning seam and is of excellent quality for coking purposes. A number of years ago coal was mined and coked near that place, some of the coke ovens still being in existence.

The United States Aluminum Co. received a Federal permit to construct a coal tipple and erect dolphins on the left bank of the Allegheny River, Westmoreland County, 6 miles above Lock No. 3 and 22.7 miles above the mouth. The mine opening is exactly opposite Tarentum.

We of the Allegheny Valley are anxiously looking forward to the time when we will be able to develop our vast natural resources and find a market for our mineral and manufactured products by an inland waterway extending 2,000 miles from the Allegheny to the Gulf, but to realize all this the work so well and wisely begun on the Ohio and Allegheny must be completed. [Applause.]

Mr. Chairman, I want to add, for the information of the chairman of the Committee on Rivers and Harbors, that some few years ago I appeared before that body and made an argument in support of the Allegheny River project, at which time I submitted very many of the figures which I have given to-day, but at that time my investigations were still in progress. The figures I give now are up to date as the result of my complete investigation, which will explain the slight differences between the figures in my remarks to-day and those contained in my remarks on the former occasion.

Mr. SMALL. Mr. Chairman, the gentleman from Pennsylvania [Mr. STRONG] has made a very interesting address, particularly regarding the commerce on the Allegheny River. The gentleman called my attention this morning to an article in the Pittsburgh Post of April 5 giving some information regarding river tonnage on the Monongahela River, and I ask permission to extend my remarks in the RECORD by publishing this interesting statement, illustrating the growth of commerce there. The last reports of the Engineers gives the commerce for 1916 as 12,000,000 tons, while this clipping from the Pittsburgh Post indicates a tonnage of 20,000,000 for 1918.

The CHAIRMAN. The gentleman from North Carolina asks leave to extend his remarks in the manner indicated. Is there objection?

There was no objection.

Following is the clipping referred to.

[From the Pittsburgh Post, Apr. 5, 1918.]

RIVER TONNAGE BREAKS RECORDS DURING MARCH—20,000,000 TONS TOTAL DURING 1918 IS FORECASTED—COAL BUSINESS HUGE.

Transportation on the Monongahela River has broken all records during the past month. The end of the present year will see figures beyond the 20,000,000-ton mark.

During the last month Lock 3, at Elizabeth, Monongahela River, broke all records when 1,392,460 tons were locked through, as against 1,073,720 tons during the same period last year. The lockages during the last month at this point were 1,243,000 tons of coal, 43,500 tons of coke; sand and gravel, 69,460 tons; miscellaneous cargo, 36,500 tons; lockages, 1,260. During the same period last year the amount of coal shipped was 969,000 tons; miscellaneous cargo, 28,700 tons; sand and gravel, 75,000 tons; and 944 lockages. The lock was out of commission for two days during the month on account of high water.

More than 25,991,000 bushels of coal passed through Lock 4, Monongahela River, during March. During the same time 1,658,000 bushels of coke passed that lock. This tonnage established a record, as the lock was in operation only 29 days on account of high water, while the mines were idle for a long period. One hundred and two thousand bushels of sand and gravel were locked through upstream during this period; also 47,000 cubic feet of lumber. The number of lockings both up and down stream during the month of March were 1,061.

The shipments for March show that the figures for the same period of last year were almost doubled. In 1877 the shipments of coal through this lock, which then was owned by the Monongahela Navigation Co., were 2,300,700 bushels of coal, on which tolls were collected amounting to $6,499.34, while the shipments for the entire year amounted to 14,440,200 bushels, on which the tolls amounted to $49,061.51. The shipments during the past month were almost double those of the entire year 41 years ago.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield 10 minutes to the gentleman from Idaho [Mr. FRENCH].

The CHAIRMAN. The gentleman from Idaho is recognized for 10 minutes.

Mr. FRENCH. Mr. Chairman, before beginning I want to ask unanimous consent to extend and revise my remarks.

The CHAIRMAN. The gentleman from Idaho asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. FRENCH. Mr. Chairman, during the extra session of Congress we were called upon to consider a vast amount of legislation made necessary by reason of the war.

One of the most important pieces of legislation was the war-risk insurance act. Under that law we granted to every commissioned officer and enlisted man, to every member of the Army Nurse Corps and Navy Nurse Corps, when employed in active service under the War or Navy Department, the privilege of taking out insurance up to the amount of $10,000, upon the payment by such persons of insurance rates based upon the American Experience Table of Mortality, the Government itself carrying the extra risk of insurance which a private insurance company would regard as worth many times the premium rate that the Government requires.

Under this law those eligible to take out insurance have very generally availed themselves of the opportunity. Many, however, have not, and this fact should call to our attention one of the provisions of the insurance act that we should modify at this time.

Under the law it was provided that all who were in the military or naval service on the 6th day of April, 1917, or who should be in such service at the time of the publication of the terms

and conditions under which insurance would be issued, would be regarded as insured, regardless of whether or not they had made application for insurance, for a period of 120 days. It was also provided that all those in the service, as indicated, would have the opportunity for 120 days of taking out insurance, and all who would be enlisted in the service subsequently to the publication of the terms and conditions of the insurance would likewise have 120 days within which they could take out insurance. Early in February the Congress extended the time of those in the service when the act became effective to April 12.

The Congress did not provide that any person who otherwise would be eligible to take out insurance who failed to avail himself of the privilege within the time indicated would ever again have the opportunity of taking out insurance under the war-risk act. Let us consider this.

Why should a soldier who has omitted to take out an insurance policy within the period of 120 days following his enlistment be denied that privilege? We may be engaged in war for a number of years. Why should a soldier be compelled once for all to decide within the first several months after his enlistment that during the entire period of the war—which may be two years or five years or seven years—that he will or will not take out an insurance policy in behalf of his wife, his child, his mother, or other dependents?

I think if we study over the question we must come to the conclusion that there can be no good reason. Let me give a few cases to illustrate my point:

NEW RESPONSIBILITIES.

Here is a young man who has enlisted as a volunteer and who is but 18 years of age. As he leaves home to become a member of the Army his father is living and is amply able to support the family. His father is scarcely 40 years of age. There are other children—little folks, from 10 years old to a babe in arms—in that household. Why should the young man of 18 years be put upon notice that unless he anticipate all the future changes that may occur at home within a period of 120 days, and determine wisely within that time, he will be denied the privilege of revoking his decision after 120 days shall have passed by? After this young man has been enlisted for a period of six months, suppose the father dies. Who then, next to the mother, is the mainstay of the family? Who is the wage earner? Why, in our country we are proud to recall that thousands upon thousands of our boys—18, 19, and 20 years of age—have become the strong support of a family of a mother and little brothers and sisters. And yet, under the law as it now is, if the father die, and notwithstanding the fact that the young man by his enlistment has placed himself in such a position where he can not give the protection and support to the home that he would like to give, we say to him: "No; you must serve your country for two or for seven years; but, while your associates may carry insurance to protect their loved ones, you may not."

Suppose another case. Here is a young man who enlisted as a private and goes away from home, leaving father and mother well along in the sixties. A flourishing business is theirs. The young man sees no reason why he should carry an insurance policy. He is not receiving as a soldier the compensation that he was receiving in his business before he enlisted or was drafted. At home the family has the normal comforts of life and only a prophet could foresee that misfortune would overtake that household. Yet it is only the history of common experience, and brought to us by observation over and over again, that families of opulence and wealth are often brought to poverty through fire, through flood, through tornado, through disaster of one kind or another, that can not be foreseen any more than it can be withstood. Let us suppose that this home—a home of comfort when the young man enlisted or was selected under the draft—has become impoverished. The father may be able to make a bare living for his family during the days that he may live; but he may not be able to rally again, financially, and this young man is denied, under the terms of the law as it is, the privilege of doing what most of the soldiers have already done—the privilege of taking out an insurance policy that will give that last protection, and only substantial protection, that, as a soldier, he can give to his mother or to his father.

Again, here is a soldier, a private, who took out a policy for $500 or $1,000. His pay was small; the demands of those dependent upon him were large. More than that, when the campaigns for the floating of liberty loan bonds were made he subscribed liberally, he gave to the Red Cross, and the young man felt that he could not take an insurance policy greater than $1,000 or $2,000. The young man is industrious, capable, efficient. He earns a promotion—he becomes a corporal, a sergeant, possibly a lieutenant, a colonel. The needs of his family are no greater now, it may be, than they were at the time of his enlistment. But the young man is much more able to care for his responsibilities than when he was a private. Yet, after 120 days have passed by, he may not increase his insurance.

So I could continue, and without drawing upon the imagination, but merely suggesting that which is commonplace and within the experience and observation of us all, I could call attention to case after case of change of circumstances that would make it wholly desirable for a soldier to take out an insurance policy subsequent to 120 days after he enlisted when circumstances shall come about that no foresight could protect against.

WHY WAS NOT PROVISION IN LAW?

The question is asked, Why was this provision not placed in the law? Well, the question seems not to have received a great amount of attention, and yet as we look back two reasons seem to have been responsible for it:

First, the Congress desired that those in the service of the country would not delay, but that they would take advantage of the opportunity afforded.

Again, it was probably felt that unless a time limit were placed in the measure there would be some who would be indifferent to taking out an insurance policy who, after having suffered some disability, possibly of critical character, would, while under such disability and before being discharged from the service, throw a heavy responsibility onto the Government without paying very much for it.

PENDING BILL MEETS BOTH REASONS.

I believe that my bill will take care of both of these propositions. In the first place, there will constantly be the incentive to those eligible to take out a policy to do so within a period of 120 days, because during that period they will not need to accompany their application with any kind of certificate showing that they are on duty or that they are capable of reporting for duty. This added requirement, it would seem, would constitute a very impelling reason for one capable of taking out an insurance policy to act within the period of 120 days after enlistment.

Again, to prevent anyone from throwing the responsibility of the insurance onto the Government at a time when the applicant might be ill or disabled, my amendment provides that following the period of 120 days the application shall be accompanied by a certificate from an officer of the company of the applicant, or in lieu thereof a certificate from any medical officer in the service of the Government.

I have provided these two alternatives as regards certificate, for this reason: If a person is on duty, we may assume, as we do for the period of 120 days, that he is physically able to be on duty. I have provided that in lieu of a certificate from an officer of the company of which an applicant may be a member he may accompany his application by a certificate from a medical officer in the service of the United States, for the reason that it oftentimes happens that men are detached from the company to which they belong. They are granted furloughs, or they are on detached service, and it seems that to such men there should be accorded some opportunity of taking out an insurance policy, and it seemed to me that the practicable way to meet the situation is to provide that such a person could appear before any medical officer of the Government in any place and receive from him a certificate touching his physical condition indicating that he is fit for duty.

REASONS THAT SUPPORTED ORIGINAL MEASURE SUPPORT THIS BILL.

Every reason that impelled the Congress in the first instance to pass the war-risk insurance act applies equally as strongly in favor of the bill that I have now proposed, to the extent that there will be those who will desire to avail themselves of its provisions.

I approve most heartily of the statement of Secretary McAdoo before the Committee on Interstate and Foreign Commerce, on August 17 last, when he urged the passage of the war-risk insurance bill, saying:

> When the Government destroys the earning power of the individual to that extent (that is, by drawing men under the selective-draft law into the military service at $30 or $33 per month when the earning capacity of these men is very high) destroys his insurability, and then drafts him into extra hazardous service, which may result in the destruction of his life or in permanently disabling him, it owes that man restitution. I use that word because it expresses my idea exactly.

Why, then, did we pass the war-risk insurance act in the first place? It was because we are taking men and women from their usual vocations within which they could take out life insurance policies in some one of the commercial life insurance companies of our country, and we are placing them in a service where the insurance companies could not continue to bear the insurance at the old rate, but would require premiums equal to eight or ten times the normal premium risk on each policy.

Now, that same condition exists with regard to those who may not take out the insurance policy within a period of 120 days. Those who may not and who will desire to avail themselves of the privileges of the measure that I am advocating will be those upon whose shoulders responsibilities have been placed for the most part following the period of 120 days. Can they be distinguished from those who took out an insurance policy within the period of 120 days? They are in the service of the Government. They are in a service that is hazardous. They are in a service that will prevent them from taking out an insurance policy in any of the life insurance companies at the normal premium rates that apply to people in civil life. Why should they not have the opportunity that their fellows have of taking out an insurance policy with the Government, they paying the normal standard premium for the insurance and the Government assuming the hazard for which private insurance companies would charge large sums?

There is still another consideration in favor of this bill. Under the terms of the law as it now is there are undoubtedly thousands of persons who have taken out policies within the period of 120 days after enlistment in order to be on the safe side. They are people who are in comfortable financial circumstances, and they do not have immediate dependents. However, they do not know but that circumstances at home will be modified after a period of 120 days, and in order to insure themselves against that peradventure they have been willing to write an insurance policy that they did not care for—place it in the name of somebody to whom they were not under obligation or responsibility for support, pending the time when possibly they would have responsibilities that the policy could serve to protect.

Under the measure that I have introduced, persons of that character could feel that they could wait until a responsibility presented itself and then take out the insurance in favor of the person toward whom the responsibility extended, and the Government would be saved the risk in the meantime.

And furthermore, while there may be men in the service of such means that they will carry a policy for an indefinite period pending the time they may need it, what shall we say of the humbler soldier, who is not financially able to carry a policy until he shall be in actual need of protecting some one? Shall we not let this soldier avail himself of the benefit of an insurance policy?

There is another feature of the law touching the war risk that the Government is glad to assume for the officers and privates in the service of the United States that I can not fail to call to your attention. We want to be fair by the private just as we want to be fair by the officer, yet what is the situation? Under the law the private receives but a small allowance to tide him over the period that he is in the service and to help him contribute something to the support of those who have claim upon him; an officer receives a compensation that is somewhat commensurate with his responsibilities. The pay of a second lieutenant is $1,700; the pay of a lieutenant general is $9,000; and of a general, $10,000. The other officers in the ratio of their rank and responsibilities receive salaries that fall in between these extremes. It will be seen that the officer can much more readily carry a large insurance policy, possibly the maximum, than can a young man who is merely a private drawing $30 or $33.

Mr. GARRETT of Tennessee. But the amount he can carry is limited.

Mr. FRENCH. The limit is $10,000 in both instances. But the officer can carry that maximum much more readily than can the young man who is merely a private.

Mr. McKEOWN. Will the gentleman yield?

Mr. FRENCH. Yes.

Mr. McKEOWN. Is it not a fact, however, that the officers are compelled to pay large expenses out of their salaries, so that they really do not net much more than a private?

Mr. FRENCH. Oh, it is true that they have very heavy responsibilities to meet. I was going to mention that. But it is also true that an officer, especially above the grade of lieutenant, can far more easily bear the item of carrying an insurance policy than can a private. The cost to the officer is no more than the cost to the private, and the private will often be limited to a small policy by the state of his finances. I submit we ought to provide an opportunity for the private, when he, through his merit and efficiency shall have been promoted to the rank of an officer, to increase the insurance that he would like to carry. Under the law as it now is he may not do this.

If as a private all that he can see his way clear to lay by from his allowance to carry an insurance policy will enable him to carry one of $2,000 or $3,000, when he shall be advanced to the grade of an officer and his compensation will permit him to carry an insurance policy that will protect those dependent upon him as they ought to be protected, under the law as it now is he will be denied the opportunity.

SUMMING UP OF PLAN.

One word in conclusion by way of summing up. If the bill that I have introduced shall be enacted into law, then what will the situation be?

First. It will permit those eligible to take out insurance under the present law to take it out after a period of 120 days after enlistment, which they may not now do.

Second. The incentive will continue to exist in the law to impel those eligible for insurance to act within 120 days; after 120 days application must be accompanied by a certificate of fitness for service.

Third. The Government will be protected from having thrown upon it insurance of persons who have delayed making application until they have become physically unfit, by the certificates that must be filed certifying to physical condition.

Fourth. The amendment should prevail, because—

1. Those eligible to insurance can not foresee the contingencies that may be thrust upon them by reason of changing home conditions following a period of 120 days after enlistment; and

2. Every reason that can be advanced in favor of the war-risk insurance idea urges the passage of the amendment.

Mr. Chairman, the time is about up within which we may enact this measure and be sure that we shall do the right thing by everybody. It will be up on April 12. Unless we shall speedily enact the amendment that I propose, I am fully confident we shall have furnished to us many illustrations from real life similar to those that I have suggested in urging the passage of the bill.

The measure is short and for the convenience of the Members I shall place in the RECORD a copy of the same. It is H. R. 10886 and reads as follows:

Be it enacted, etc., That the provisions governing the time within which application for insurance may be made as set forth in section 401 of the act entitled "An act to authorize the establishment of a Bureau of War-Risk Insurance in the Treasury Department," approved September 2, 1914, as amended by the act approved October 6, 1917, are hereby amended so that hereafter every person defined in section 400 of said act as entitled to make application for insurance may, during the period of his service, make application for insurance under said act: *Provided*, That when such application shall be made after a period of 120 days after enlistment it shall be accompanied by a certificate from a commissioned officer of the company of which the person applying is a member, setting forth that such person is on duty, or by a certificate from a medical officer in the military or naval service of the United States that the person making application is physically able to report for duty.

SEC. 2. That nothing in this act shall be construed to modify any obligations or rights which have heretofore accrued under the war-risk insurance act referred to herein.

Mr. KENNEDY of Iowa. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. EMERSON].

Mr. EMERSON. Mr. Chairman, I ask unanimous consent to extend my remarks in the RECORD by printing a resolution of the board of education in the city of Cleveland.

The CHAIRMAN. Is there objection to the request of the gentleman from Ohio?

There was no objection.

The resolution is as follows:

To the President of the United States of America, Woodrow Wilson:

Resolution adopted by the board of education of the city school district of the city of Cleveland, Ohio, at a meeting held March 18, 1918, No. 7374, introduced by the president, Mr. M. L. Thomsen, indorsing universal military training.

Whereas there is a bill now pending before the Congress of the United States providing for universal military training and education for men between the ages of 19 and 21 years; and

Whereas one of the purposes of said bill is to improve the character of the young men of our Nation, mentally, morally, and physically; and

Whereas the passage of said bill in our opinion will materially aid and strengthen the resources of our national defense: Now, therefore, be it

Resolved by the board of education of the city school district of the city of Cleveland, That it is the judgment of said board that said bill now pending in Congress deserves the active support of the citizens of the United States, and that we favor its general purpose; be it further

Resolved, That a copy of this resolution be forwarded by the clerk of this board to the President of the United States, the Secretary of War, to the Senators for the State of Ohio, and to the Representatives in Congress of the twentieth, twenty-first, and twenty-second districts of the State of Ohio.

M. L. THOMSEN,
President Board of Education.
ROBT. I. CLEGG,
Vice President Board of Education.
F. E. SPAULDING,
Superintendent of Schools.
SARAH E. HYRE,
Clerk, Board of Education.
J. G. HOGAN,
Director of Schools.

Mr. SMALL. Mr. Chairman, I yield five minutes to the gentleman from Alabama [Mr. OLIVER].

Mr. OLIVER of Alabama. Mr. Chairman, my attention has been called to some misinformation written into the RECORD yesterday by the gentleman from Wisconsin [Mr. FREAR].

It is to be regretted that a member of the important Committee on Rivers and Harbors who should speak with accuracy, knowledge, and authority, is so often guilty of the careless habit of inserting in the RECORD misleading an inaccurate statements on important questions relating to the development of our rivers and harbors. It will be recalled that the chairman and other members of this committee found it necessary at the last session to frequently check up and correct inaccurate statements made by the gentleman from Wisconsin.

On yesterday he referred in a vein of criticism to a report made by two able, competent engineers to the Shipping Board on the very important matter of extending and further developing barge navigation on the Black Warrior River in Alabama. Inaccurate statements were made relative to facts set out in a written report by these engineers. As a sample of such inaccuracies I call attention to the statement made by the gentleman from Wisconsin, that $21,000,000 had been recommended by the engineers in the report referred to for expenditure on the Black Warrior, whereas the report in fact recommended less than $2,250,000. I will later insert as a part of my remarks the report of the engineers.

Mr. SMALL. Who were the engineers?

Mr. OLIVER of Alabama. Mr. Mason and Mr. Bentecou.

It will be seen from the reading of their report that the gentleman from Wisconsin had no knowledge of the facts on which it was based, nor the conclusions announced, nor the recommendations therein made. The report shows there is now being mined in territory immediately adjacent to the river large quantities of coal of splendid quality, and equal in every respect to that now furnished at Norfolk. The Navy purchases for all its needs at Pensacola, New Orleans, and Mobile coal mined in this section. In addition to the great quantity of coal mined on the river there is within 50 miles of my home city, of Tuscaloosa, more than a billion and a quarter feet of lumber cut every year. The report calls attention to the large tonnage in coal, lumber, and the finished products of iron and steel that can be diverted and transported by water, if sufficient barges are provided on the Warrior River. Attention is further called in the report to the large number of freight cars and locomotives that will thus be released and which are now greatly needed. I commend the report to the very careful reading of the Members of the House.

The CHAIRMAN. Is there objection to the request of the gentleman from Alabama to extend his remarks in the RECORD?

There was no objection.

The report is as follows:

MARCH 2, 1918.

Memorandum regarding an examination of the Warrior River, Ala., and the problem of utilizing it, primarily, for the transportation of coal and, secondarily, of other materials.

1. The territory which must depend upon the Alabama coal fields for fuel is suffering from a short supply of coal. New Orleans has until recently depended largely upon water-borne shipments from Pennsylvania. That supply has been cut off and the service abandoned by reason of the increased demand at Pittsburgh and the unprofitable 1,900-mile river haul. As a result the railroads have been called upon to transport a large additional tonnage at a time when they were already taxed beyond their capacity by the conditions arising from the war.

2. The problem, therefore, is to provide for a supply of coal that will meet the present and the probable future requirements, and also to relieve the railroads of the transportation of a large low-rate tonnage and enable them to move other commodities with more efficiency.

3. The territory adjacent to the Warrior River is a well-developed coal field and can produce an abundant supply of coal that is satisfactory for bunkering ships and for industrial and domestic use.

4. The Warrior River has been improved by the Government at a cost of $11,000,000 and is being maintained at a further cost of about $200,000 per year. It has a capacity of about four times the present coal requirements and has been in limited use since 1915.

Since a remedy for the conditions can not be sought in building more railroads, we must obviously turn to the river for relief.

5. The records of the local companies which have operated boats on the river disclose the fact that navigation might be conducted with proper methods and adequate facilities and equipment at rates no greater than the existing railroad rates. On the other hand, the railroads do not consider the business satisfactory at the rates and can not haul a regular and ample supply.

6. The companies which have attempted to conduct transportation on the river have in great measure developed a suitable type of equipment, but they are confronted with many difficulties—lack of sufficient boats and proper terminals, of systematic methods and cooperation—and with the uncertainties entailed by war prices and general conditions.

It follows that there is no ground for dependence upon securing relief from the river in the near future through expenditure of private capital.

7. Transportation by river to be successful must fill the same requirements as transportation by rail—a regular and adequate service, full responsibility of the carrier, and absorption of terminal charges.

8. We are satisfied that those essentials can not be secured under private ownership and therefore recommend that the Government commandeer the equipment now existing on the Warrior River and, as far as necessary, on other accessible rivers, build certain other equipment, and create a strong commission to establish and conduct a transportation system on the Warrior River.

9. The total present demand for coal at Mobile and New Orleans is over 2,000,000 tons per year. The present requirement for bunker coal will probably be increased as soon as the permanence of the supply is assured, and there will probably be a further increase due to a call for export coal to Cuba.

10. We consider that equipment should now be provided to transport 1,000,000 tons of coal per year, and that this capacity will need to be increased as the market develops.

11. It should be possible to give service to the extent of 15,000 tons per month within three months after the existing equipment is acquired and to have the entire system in operation within six months.

12. We realize that this project is peculiar and differs in three essentials from the normal problems of inland-river transportation:

(a) The business to be done already exists in proper volume between the terminals.

(b) There are no problems arising from winter operations; no tie-ups and destruction from ice.

(c) The equipment largely exists and is partly now idle.

13. The sum necessary to establish this work is rather over $2,000,000, and, while we recognize that the course recommended is radical, we consider that the war emergency justifies it.

THE ROUTE.

The Alabama coal fields are traversed by the Warrior River, which has been improved for slack-water navigation with 17 dams and locks, the latter being 285 feet long, 52 feet wide, and 6½ feet on sills. The minimum width of the river is about 100 feet; the depth 6 feet.

The channel is crooked and requires moderate dredging in spots after floods, and also some removal of snags. During the two years past only minor interference has arisen from this cause. The distance from the head of navigation is approximately 450 miles to Mobile.

The route from Mobile to New Orleans is through Mississippi Sound and Borgne Lake, thence either to the Mississippi River by the Borgne Canal, or, for city delivery, via Lake Ponchartrain to a point on the new canal at Howard and Rampart Streets. The distance is about 150 miles.

The Lake Borgne Canal is 7½ miles long, 100 feet wide, and 7 feet deep, with one floodgate. It connects Lake Borgne with the Mississippi River, and belongs to the Alabama & New Orleans Canal Co. This canal and the storage facilities for bunker coal at Violet can be used under some equitable arrangement:

THE COAL.

There are four principal veins of coal which appear on both sides of the river. Their product has various characteristics and value depending on the analysis and the care in mining.

A few mines have been recently opened on the river, but are not yet fully developed. The larger mines on which the proposed supply would have to depend, at least temporarily, are on the railways near the river, and they are abundantly prepared to furnish the coal needed for bunker, industrial, and domestic use.

The bunker coal is generally washed, and its quality is equal to that now supplied at Norfolk, Va.

The railroad haul from the most convenient mines to the river is in all cases short, and if an equitable rate is fixed the cost would not be a serious charge upon the operators. Any difficulty, however, in securing access to the river tipples can be met by building short railroad connections.

TRAFFIC EXCEPTING COAL.

A small amount of miscellaneous traffic has been developed in the river, and it is probable that the downstream movement of lumber, pipe, pig iron, coke, etc., would soon reach respectable proportions if a good river service was sustained.

An indefinite but large return freight tonnage is quite possible. It can only be created by good management, proper terminal facilities, regularity of movement, and financial strength of the transportation organization.

EXISTING EQUIPMENT.

The equipment which has been found most suitable to the river is of the Ohio River type. The barges, however, are only 24 feet wide, and two Ohio River barges 26 feet wide can not be placed side by side in the locks, thus making it necessary to build the additional barges required.

There are now on the river 6 towboats, 31 open barges of about 500 tons capacity, and at New Orleans 6 self-propelled barges, 800 tons capacity.

These towboats will each move 2,200 tons of coal from the mines to Mobile in five days, but are admittedly somewhat underpowered.

The open barges should be strengthened at small additional expense.

The six self-propelling barges of the Alabama Transportation Co. are fairly well adapted to the conditions between Mobile and New Orleans, but should be supplemented by suitable tugs and barges now existing in the district that are stronger than those used in the river before described.

THE COAL MARKET.

The principal market at seaboard for Alabama coal is New Orleans, where 500,000 tons of bunker coal and about 1,550,000 tons of coal for railroad, industrial, and domestic use are now required.

The coal for bunkers and for westbound railroad and other coal must be handled through the Lake Borgne Canal.

The remaining coal at New Orleans should be handled through Lake Pontchartrain to the city basin, a most favorable point for local distribution.

The Mobile coal demand amounts to about 250,000 tons, of which about 70,000 tons is bunker coal.

Both markets would be materially increased if the Government should route trans-Atlantic freight through the Gulf ports to relieve Atlantic ports.

We deem it wise that ships sailing for Europe from Gulf ports should stop the practice of coaling en route at Norfolk.

We consider it necessary that operations on the Warrior River, to be of material service, should be planned to handle at least 1,000,000 tons per year.

This requires a large addition to the existing equipment, full provision for coal storage at Mobile and New Orleans in order that the movement may not be interrupted, and suitable equipment for transfer of coal from barges to either stock piles or ships.

We estimate the cost of the existing and the new equipment necessary to transport 1,000,000 tons a year at $2,100,000, and conclude that this expenditure would release 1,500 railroad cars and 30 locomotives, valued at $4,000,000.

Should the Government establish the transportation system we recommend, it will not, in our judgment, succeed unless controlled by a board of not more than three men, who are chosen for their business sagacity, familiarity with local conditions, their business standing and proved executive capacity. We therefore recommend the appointment of such a board—one member from Birmingham district, one from Mobile, and one from New Orleans—to carry out the program.

Estimate.

For suitable railroad spur connections from coal to river	$100,000
Loading stations on river	63,000
20 river towboats (stern wheel—6 now on river, 14 now idle on Ohio River)	700,000
100 open river barges (31 now existing, 69 to be built)	369,000
1 storage yard and transfer at Mobile	125,000
6 self-propelled barges	240,000
4 tugs (in New Orleans)	100,000
13 dock barges (in New Orleans)	78,000
1 storage yard at New Orleans	125,000
Working capital and contingencies	200,000
	2,100,000

Operating cost.

Interest	105,000
30 towboats—tugs and self-propelled barges at $36,000 each per year	1,080,000
3 storage transfer yards at $40 per day	43,800
Maintenance and depreciation	200,000
Administration	25,000
	1,453,800

Total cost, $1.45 per ton.

A project is under consideration to increase the depth of the river from 6 to 8 feet, at a probable cost of $250,000, by raising the dams 2 feet. Doing this would have a marked and beneficial effect upon the economics of transportation, and it is safe to say that the above costs of operation would be reduced 20 per cent.

ARTHUR J. MASON.
DANIEL BENTECOU.

Mr. SMALL. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD made on yesterday.

The CHAIRMAN. Is there objection to the request of the gentleman from North Carolina?

There was no objection.

Mr. SMALL. Mr. Chairman, as far as I am aware there are no more demands for debate on this side.

Mr. KENNEDY of Iowa. We do not want further time.

Mr. SMALL. Then, Mr. Chairman, I understand that general debate is closed on the bill, so that when we resume consideration again the bill will be read under the five-minute rule. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. BYRNS of Tennessee, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee had had under consideration the bill H. R. 10069, the river and harbor bill, and had come to no resolution thereon.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committee, as indicated below:

S. 121. An act to prevent the desecration of the flag of the United States, and to provide punishment therefore (Rept. No. 279);

S. 3691. An act to provide for reimbursement of actual expenses or flat per diem for enlisted men of the Army traveling on duty under competent orders;

S. 3801. An act to amend section 8 of "An act to authorize the President to increase temporarily the Military Establishment of the United States," approved May 18, 1917 (Rept. No. 278; and

S. 3874. An act providing medals for certain persons; to the Committee on Military Affairs.

ENROLLED BILL SIGNED.

Mr. LAZARO, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bill of the following title, when the Speaker signed the same:

H. R. 9314. An act making appropriations for the Diplomatic and Consular Service for the fiscal year ending June 30, 1919.

EXTENSION OF REMARKS.

Mr. McKEOWN. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

Mr. WALSH. Mr. Speaker, reserving the right to object, upon what subject?

Mr. McKEOWN. Upon the housing bill. I was ill at the time it was being discussed.

The SPEAKER. Is there objection?

There was no objection.

TELEPHONE SYSTEM, DISTRICT OF COLUMBIA.

Mr. HILLIARD. Mr. Speaker, I ask unanimous consent to file a supplemental report (H. Rept. No. 379, Part 2) on the bill H. R. 10337.

Mr. WALSH. Mr. Speaker, what bill is that?

Mr. HILLIARD. A bill to postalize the telephone system in the city of Washington.

Mr. GARRETT of Tennessee. Is it a general bill?

Mr. HILLIARD. No; it is for the city of Washington. The bill has been reported by the District Committee.

The SPEAKER. The Committee on the District report the bill, accompanied by a report.

Mr. GARRETT of Tennessee. The gentleman from Colorado filed a minority report on that, did he not?

Mr. HILLIARD. No; I filed the majority report. No minority report was filed. I wish now to file a supplemental report, which is a study made of the situation by the engineers of the Bureau of Standards. It is a report that the chairman of the committee asks that I make.

The SPEAKER. The committee's report?

Mr. HILLIARD. Yes.

Mr. GARRETT of Tennessee. Oh, requested by the chairman of the committee?

Mr. HILLIARD. Yes.

The SPEAKER. Is there objection?

There was no objection.

ADJOURNMENT.

Mr. SMALL. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock p. m.) the House adjourned until Monday, April 8, 1918, at 12 o'clock noon.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS.

Under clause 2 of Rule XIII, bills and resolutions were severally reported from committees, delivered to the Clerk, and referred to the several calendars therein named, as follows:

Miss RANKIN, from the Committee on the Public Lands, to which was referred the bill (S. 41) to authorize the sale of certain lands at or near Yellowstone, Mont., for hotel and other purposes, reported the same without amendment, accompanied by a report (No. 474), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

She also, from the same committee, to which was referred the bill (S. 934) authorizing the State of Montana to select other lands in lieu of lands in section 16, township 2 north, range 30 east, within the limits of the Huntley irrigation project and the ceded portion of Crow Indian Reservation in said State, reported the same without amendment, accompanied by a report (No. 475), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

She also, from the same committee, to which was referred the bill (S. 936) to authorize the Secretary of the Treasury to convey to the city of Bozeman, Mont., certain lands for alley purposes, reported the same without amendment, accompanied by a report (No. 476), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. ALEXANDER, from the Committee on the Merchant Marine and Fisheries, to which was referred the bill (S. 3388) to amend the emergency shipping fund provisions of the urgent deficiency appropriation act approved June 15, 1917, so as to empower the President and his designated agents to take over certain transportation systems for the transportation of shipyard and plant employees, and for other purposes, reported the same without amendment, accompanied by a report (No. 473), which said bill and report were referred to the Committee of the Whole House on the state of the Union.

Mr. RAYBURN, from the Committee on Interstate and Foreign Commerce, to which was referred the bill (H. R. 11245) to amend an act entitled "An act to authorize the establishment of a Bureau of War Risk Insurance in the Treasury Department," approved September 2, 1914, and an act in amendment thereto approved October 6, 1917, reported the same without amendment, accompanied by a report (No. 471), which said bill and report were referred to the House Calendar.

CHANGE OF REFERENCE.

Under clause 2 of Rule XXII, the Committee on Invalid Pensions was discharged from the consideration of the bill (H. R. 11229) granting a pension to Walter Sewell, and the same was referred to the Committee on Pensions.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SMITH of Idaho: A bill (H. R. 11257) to provide that petty officers, noncommissioned officers, and enlisted men of the United States Navy and Marine Corps on the retired list who had creditable Civil War service shall receive the rank or rating and the pay of the next higher enlisted grade; to the Committee on Naval Affairs.

Also, a bill (H. R. 11258) to authorize the addition of certain lands to the Weiser National Forest, Idaho; to the Committee on the Public Lands.

By Mr. FOSTER: A bill (H. R. 11259) to provide further for the national security and defense by encouraging the production, conserving the supply, and controlling the distribution of those ores, metals, and minerals which have formerly been largely imported, or of which there is or may be an inadequate supply; to the Committee on Mines and Mining.

By Mr. MONTAGUE: A resolution (H. Res. 304) directing The Adjutant General of the Army to furnish the House of Representatives certain papers in the case of John B. H. Waring, late a captain in the Medical Corps of the United States Army; to the Committee on Military Affairs.

By Mr. MAGEE: A resolution (H. Res. 305) to amend standing Rules X and XI of the Rules of the House of Representatives; to the Committee on Rules.

PRIVATE BILLS AND RESOLUTIONS.

Under clause 1 of Rule XXII, private bills and resolutions were introduced and severally referred as follows:

By Mr. AYRES: A bill (H. R. 11260) granting a pension to Keziah Zink; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11261) granting a pension to Sanna Anderson; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11262) granting an increase of pension to John T. Gregory; to the Committee on Invalid Pensions.

Also, a bill (H. R. 11263) granting an increase of pension to James Kinser; to the Committee on Invalid Pensions.

By Mr. BLAND: A bill (H. R. 11264) granting an increase of pension to George W. Toland; to the Committee on Invalid Pensions.

By Mr. COOPER of Ohio: A bill (H. R. 11265) granting an increase of pension to John W. Farmer; to the Committee on Invalid Pensions.

By Mr. DEWALT: A bill (H. R. 11266) granting a pension to Julia Moll; to the Committee on Invalid Pensions.

By Mr. FOSS: A bill (H. R. 11267) granting a pension to Arthur A. Haussner; to the Committee on Pensions.

By Mr. McARTHUR: A bill (H. R. 11268) granting a pension to Cynthia Rudler Osgood; to the Committee on Invalid Pensions.

By Mr. McKEOWN: A bill (H. R. 11269) granting a pension to Luvina Avery; to the Committee on Invalid Pensions.

By Mr. MAPES: A bill (H. R. 11270) granting an increase of pension to Addison A. Eggleston; to the Committee on Invalid Pensions.

By Mr. MAYS: A bill (H. R. 11271) granting a pension to Nellie Conover; to the Committee on Pensions.

By Mr. O'SHAUNESSY: A bill (H. R. 11272) granting an increase of pension to Hugh McGuckian; to the Committee on Invalid Pensions.

By Mr. SEARS: A bill (H. R. 11273) granting a pension to Mary J. Van Denbergh; to the Committee on Invalid Pensions.

By Mr. SELLS: A bill (H. R. 11274) granting a pension to Julia Sprinkle; to the Committee on Invalid Pensions.

By Mr. WALSH: A bill (H. R. 11275) granting an increase of pension to John K. Freeman; to the Committee on Invalid Pensions.

PETITIONS, ETC.

Under clause 1 of Rule XXII, petitions and papers were laid on the Clerk's desk and referred as follows:

By Mr. CARY: Resolutions of the Alabama State Highway Conference, urging that the National Government build more and better roads; also indorsing the Chamberlain-Dent bill providing for Federal planning of military roads; to the Committee on Roads.

Also, resolution of the executive committee of the Authors' League of America, in opposition to the zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, memorial of the board of directors of the Friends of Our National Parks, favoring House bill 171 and other bills, and also stating principles with regard to the national parks; to the Committee on Public Lands.

By Mr. COOPER of Wisconsin: Petition of citizens of Racine, Wis., and vicinity, asking for an increase in the amount of tax imposed on excess war profits; to the Committee on Ways and Means.

By Mr. DALE of New York: Memorial of the City Club of New York, favoring continuance of the pneumatic mail tube; to the Committee on Post Offices and Post Roads.

Also, petition of Channing Pollock, asking for the repeal of the postal-zone law as applied to periodicals; to the Committee on Ways and Means.

By Mr. ELSTON: Petition of Alameda County (Cal.) Medical Society, favoring House bill 7563, relative to rank of Medical Reserve Corps of Army; to the Committee on Military Affairs.

By Mr. ESCH: Resolution of the executive committee of the Authors' League of America, in opposition to the zone system as applied to second-class mail matter; to the Committee on Ways and Means.

Also, resolutions of the Interstate Association of Building Contractors, offering to the Government the resources of the States of Iowa, Nebraska, Missouri, Kansas, Minnesota, South Dakota, North Dakota, Indiana, Illinois, and Wisconsin, and asking for the appointment of a citizen of this section of the country on the War Emergency Construction Board; to the Committee on Military Affairs.

By Mr. GALLIVAN: Resolution of the Boston Surgical Society, asking for the passage of the bill to give advanced rank to officers of the Medical Corps and the Medical Reserve Corps of the United States Army; to the Committee on Military Affairs.

By Mr. HAMILTON of Michigan: Petition of members of the Kalamazoo Academy of Medicine, urging the passage of the Dyer bill to give advanced rank to officers of the Medical Reserve Corps; to the Committee on Military Affairs.

By Mr. HILLIARD: Petition of Carrie J. Reynolds, Elizabeth W. Bowman, Edith L. Young, H. M. Barrett, Helena C. Fisher, J. A. R. Reynolds, Mrs. J. T. Crews, Mrs. E. P. Phelps, and Mrs. Addie M. Berrian, all of Denver, Colo., praying for immediate war prohibition; to the Committee on the Judiciary.

Also, resolutions adopted by the Morgan County (Colo.) Federation of Farm Women's Clubs, protesting against increased postage rates on periodicals; to the Committee on Ways and Means.

By Mr. STINESS: Petition of Walter H. Sweet, of Providence, R. I., protesting against the Senate amendment to section 14 of the Agricultural appropriation bill; to the Committee on Agriculture.

By Mr. TINKHAM: Resolution of the Boston Surgical Society, urging the passage of the Owen bill (S. 37480) and the Dyer bill (H. R. 9563) fixing the grades of commissioned officers in the Medical Corps and the Medical Reserve Corps of the United States Army; to the Committee on Military Affairs.

SENATE.

MONDAY, *April 8, 1918.*

(*Legislative day of Saturday, April 6, 1918.*)

The Senate met at 12 o'clock m.

The VICE PRESIDENT resumed the chair.

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

The VICE PRESIDENT. The Secretary will call the roll.

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

Bankhead	Hardwick	Overman	Sterling
Beckham.	Henderson	Page	Sutherland
Borah	James	Pittman	Swanson
Calder	Jones, N. Mex.	Poindexter	Thomas
Chamberlain	Jones, Wash.	Ransdell	Thompson
Colt	Kellogg	Reed	Tillman
Culberson	Kendrick	Robinson	Trammell
Cummins	King	Saulsbury	Underwood
Curtis	Kirby	Shafroth	Vardaman
Dillingham	Lodge	Sheppard	Wadsworth
Fletcher	McKellar	Sherman	Warren
France	McNary	Shields	Weeks
Frelinghuysen	Martin	Smith, Ga.	Williams
Gallinger	Myers	Smith, Md.	Wolcott
Hale	Nelson	Smith, S. C.	
Harding	New	Smoot	

Mr. SAULSBURY. I desire to announce that the Senator from Ohio [Mr. POMERENE] is detained on important public business.

Mr. SUTHERLAND. I wish to state that my colleague [Mr. GOFF] is absent on account of illness.