SENATE.

SUNDAY, *March 4, 1923.*

(Legislative day of Saturday, March 3, 1923.)

The Senate met at 10 o'clock a. m., on the expiration of the recess.

SPEECHES DISTRIBUTED BY FEDERAL RESERVE BOARD.

The VICE PRESIDENT laid before the Senate a communication from the acting governor of the Federal Reserve Board relative to Senate Resolution 351 (submitted by Mr. HEFLIN and agreed to December 12, 1922), requesting the Federal Reserve Board to furnish the Senate a list of the names and addresses to which a certain speech was mailed, which was ordered to lie on the table and to be printed in the RECORD, as follows:

FEDERAL RESERVE BOARD,
OFFICE OF VICE GOVERNOR,
Washington, March 3, 1923.

SIR: Senate Resolution 351 requests the Federal Reserve Board to obtain and send to the Senate certain lists of names and addresses, being the names and addresses of persons who received copies of a speech delivered by the junior Senator from Virginia more than a year ago. It is certainly a somewhat unusual request to make of any Government body, as it must be obvious that there was no object in preserving the lists used so long ago, and consequently in some cases they do not exist, and in all cases are greatly changed and are not the same lists to which Senator GLASS's speech was sent. If the Senate had desired the Federal Reserve Board to have these lists preserved, it would seem that the request would have been made not later than the spring of 1922, as the speech of Senator GLASS was delivered on the 16th and 17th of January.

It appears from the preamble, which was made a part of Senate Resolution 351 by being passed with it, that its purpose was to enable one Senator, whose position is stated to have been "assailed and criticized" by another Senator, to have the opportunity "of sending copies of his speech to the citizens who have received the speech which assailed and criticized him," and the inference appears to be that at least one of the objects in the circulation of Senator GLASS's speech was the criticism of another Senator. Reference to the other Senator whose position is stated to have been assailed and criticized in Senator GLASS's speech was purely incidental, and it is doubtful if the officers of the Federal reserve banks even so much as remembered that he had been mentioned in the speech of the Senator from Virginia, whose speech was delivered in January, 1922. The speech of the Senator from Virginia was recognized by all authorities as the most complete and masterly explanation and exposition of the Federal reserve system and of its operation ever delivered. Senator GLASS was the chairman of the Committee on Banking and Currency of the House of Representatives when the Federal reserve act was first in preparation, when it was passed in Congress, and when it came into operation by the organization of the 12 Federal reserve banks. He was also the author of most of the amendments which were passed during the first years of its operation and later as Secretary of the Treasury became ex officio the chairman of the Federal Reserve Board. He was, therefore, familiar with every detail of the law and with its operation and was the one man not only in the Senate of the United States but in the United States itself in a position to make such an address with authority.

The address was circulated to convey to the member banks of the Federal reserve system and to their clients invaluable information not otherwise obtainable and with no purpose or thought of criticizing any other Senator.

If, nevertheless, the Senator who feels that his position was "assailed and criticized" desires after the lapse of more than a year to send out answers to Senator GLASS's great speech some information can be given from the answers of the Federal reserve banks to the resolution which will enable him to cover most of the persons who received Senator GLASS's address. There was great difference in the methods of distribution of Senator GLASS's address. Thus the Federal Reserve Bank of Minneapolis states that it was sent in that district only to member banks on written request, and the Federal Reserve Bank of Dallas replies that the address was sent to banks, chambers of commerce, and to some extent to such institutions as rotary clubs. In all districts many copies were distributed in this way, no exact list of the persons who received the address having been kept, as the final distribution to "citizens" (the term used in the resolution) was made by the many commercial banks, institutions, and organizations. By using the Bankers' Directory, therefore, and by sending copies to chambers of commerce, the other Senator may cover most of the territory.

Senator GLASS's speech was in much demand by educational institutions, and several hundred copies were sent to some of them on request. Reprints of it were in fact made by some educational and other institutions that were unable to obtain a sufficient number of copies of the full address to satisfy their requirements. Some of these reprints contain no reference whatever to the Senator "who spoke on the other side of the question."

Most Federal reserve banks maintain mailing lists built up in connection with the distribution of their monthly reports and with their business reporting service, and these lists in some banks were used in the distribution of Senator GLASS's speech, but the banks generally regard these lists as their personal property, and several of them have protested strongly against making them public. The board's counsel doubts authority to compel their submission without specific act of Congress. In any event, they have greatly changed in a year and are not the same lists that were used in the early part of 1922. Furthermore, they did not, as used in 1922, include the names and addresses of anywhere near all the citizens who received the speech of Senator GLASS.

Respectfully submitted.

EDMUND PLATT, *Acting Governor.*

The PRESIDENT OF THE SENATE.

PETITIONS AND MEMORIALS.

Mr. MYERS presented the following joint resolution of the Legislature of Montana, which was referred to the Committee on Interstate Commerce:

UNITED STATES OF AMERICA,
State of Montana ss:

I, C. T. Stewart, secretary of state of Montana, do hereby certify that the following is a true and correct copy of an act entitled "Senate Joint Resolution No. 2, by committee on railroads as substitute for Senate Joint Memorial No. 2, enacted by the eighteenth session of the Legislative Assembly of the State of Montana, and approved by Jos. M. Dixon, governor of said State, on the 28th day of February, 1923.

In testimony whereof I have hereunto set my hand and affixed the great seal of said State.

Done at the city of Helena, the capital of said State, this 28th day of February A. D. 1923.

Secretary of State.

Senate Joint Resolution No. 2, by committee on railroads, as substitute for Senate Joint Memorial No. 2.

Whereas the farmers of Montana and the Northwest suffered serious loss of crops by reason of the widespread drought that prevailed during the years of high prices and business inflation, and as a result were not prepared to withstand the deflation which followed by calling on a reserve of accumulated profits such as was available to other lines of industry; and

Whereas by reason of long distances to market making freight charges high, and the low prices for what the farmer sells, and the high prices for what he buys, the farmers of Montana and the Northwest, having for the first time in five years obtained a substantial yield, are unable to secure the cost of production for their crops; and

Whereas the railroads serving Montana, by reason of a shortage of cars, have been unable to receive and transport to market the products of the farm and ranches, thus causing great inconveniences and loss, not only to the farmers and stock growers, but to the business and banking interests of the State, as well; and

Whereas the responsibility for this deplorable condition is in dispute, having been repudiated by the western roads laying the blame on their eastern connections, who in turn deny the responsibility: Therefore be it

Resolved by the Eighteenth Legislative Assembly of the State of Montana (the senate and house concurring), That we do hereby petition and earnestly pray the Interstate Commerce Commission of the United States to take such action regarding regulating the interchange of cars, or such other action as may be necessary to prevent a recurrence of these conditions.

And we further petition and pray that for the reasons heretofore set out, to wit, the inability of the farmers in the Northwest to secure the cost of production for their wheat and other products, the honorable, the Congress of the United States enact such legislation as may be necessary to stabilize the price of farm products by fixing a minimum price for wheat, thus placing the business of farming on an equal footing with other and lesser industries of the country; be it further

Resolved, That a copy of this memorial be forwarded by the secretary of state of Montana to the Senators and Representatives in Congress of the State of Montana, with the request that they use every effort within their power to bring relief to the farmers of the Northwest by carrying into effect the suggestions hereinbefore set out, and that they deliver to the secretary of the Interstate Commerce Commission a copy of this resolution.

NELSON STORY, Jr.,
President of the Senate.
CALVIN CRUMBAKER,
Speaker of the House.

Approved February 27, 1923.

JOS. M. DIXON, *Governor.*

Filed February 28, 1923, at 9.22 o'clock a. m.

C. T. STEWART, *Secretary of State.*

Mr. STERLING presented the following concurrent resolution of the Legislature of South Dakota, which was referred to the Committee on Interstate Commerce:

A concurrent resolution.

Whereas the average farmer buys over a ton of steel annually in the form of farm implements, wire, and hundreds of other steel products; and

Whereas there is a trade practice used by the steel mills by means of which they collect millions of dollars annually for freight service which is not earned, known as "Pittsburgh plus": Therefore be it

Resolved by the Senate of the State of South Dakota (the House of Representatives concurring), That we strongly condemn this practice and urge that the Federal Trade Commission take such steps as will be necessary to abolish the Pittsburgh plus practice; be it further

Resolved, That our United States Senators and Members of the National House of Representatives be urged to promote such legislation as will curb this evil; and

That engrossed copies of this preamble and resolution be prepared by the secretary of the senate, signed by the presiding officers of the senate and house of representatives, and forwarded to the Federal Trade Commission, at Washington, D. C., to Congressmen WILLIAM WILLIAMSON, C. A. CHRISTOPHERSON, and ROYAL C. JOHNSON, and United States Senators STERLING and NORBECK.

C. S. AMSDEN,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk of the House.

Mr. NORRIS presented the following resolution of the Senate of the State of Nebraska, which was referred to the Committee on the Judiciary:

STATE OF NEBRASKA,
SENATE CHAMBER,
Lincoln, March 1, 1923.

Hon. GEORGE W. NORRIS,
Washington, D. C.

DEAR SIR: I have the honor to submit to you the following resolution which was passed by the State Senate of Nebraska:

Resolution.

"Whereas the administration of the selective service act during the World War disclosed an appalling state of affairs with respect to the physical condition of the young manhood of our country; and

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"Whereas the highest military and surgical officials of the United States of America, whose duty it was to administer the draft, concluded that more than 50 per cent of the young men of draft age were not physically fit, and in conference assembled have urged that remedial legislation be enacted to better these conditions; and

"Whereas the State institutions of the State of Nebraska are filled and overflowing with unfortunates who are becoming an ever-increasing burden on the taxpayers of this State; and

"Whereas statistics and diagnoses prove conclusively that the condition of Nebraska's unfortunates is in many cases the direct result of hereditary and social diseases; and

"Whereas the stability of the American home, the bulwark of the American Nation, is greatly endangered by the laxness and the great disparity of the marriage and divorce laws of the various States: Now, therefore, be it

"*Resolved by the Senate of the State of Nebraska:*

"SECTION 1. That we hereby petition and memorialize the National Congress to enact into law a uniform marriage and divorce law for the purpose of combating the evils hereinbefore set forth.

"SEC. 2. That a copy of this resolution be transmitted by the secretary of the senate to each of the Nebraska Senators and Representatives in the National Congress, together with an urgent request that they support such legislation as will result in the passage of a national uniform marriage and divorce law, and that they use their best efforts to secure favorable action thereon at the earliest possible moment."

Respectfully yours,

CLYDE H. BARNARD,
Secretary of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED.

Mr. SUTHERLAND, from the Committee on Enrolled Bills, reported that they presented to the President of the United States for his approval the following enrolled bills and joint resolution:

On March 3, 1923:

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65;

S. 4160. An act to amend the act of Congress entitled "An act to establish a commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes," approved September 22, 1922;

S. 4117. An act authorizing the closing of certain portions of Grant Road in the District of Columbia, and for other purposes;

S. 4216. An act authorizing the sale of real property no longer required for military purposes;

S. 4503. An act granting the consent of Congress to Bethlehem Steel Co. to construct a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

S. 4592. An act granting consent of Congress to the Eagle Pass & Piedras Negras Bridge Co. for construction of a bridge across the Rio Grande between Eagle Pass, Tex., and Piedras Negras, Mexico;

S. 4638. An act authorizing the Great Northern Railway Co. to maintain and operate, or reconstruct, maintain, and operate, its bridge across the Columbia River at Marcus, in the State of Washington; and

S. J. Res. 282. Joint resolution to amend the resolution of December 29, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government."

On March 4, 1923:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 3424. An act to provide for the reclamation of the United States Military Reservation, Fort De Russy, Honolulu, Hawaii;

S. 3580. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws;

S. 4280. An act to provide additional credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal farm loan act; to amend the Federal reserve act; and for other purposes;

S. 4322. An act for the relief of the owners of the barge *Havana;*

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4631. An act granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Paces Ferry, in said counties and State; and

S. 4637. An act for the relief of certain disbursing agents under the Department of Commerce.

AMENDMENT OF REVENUE ACT OF 1921.

The VICE PRESIDENT. The Senate resumes the consideration of the unfinished business, which is House bill 13770.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 13770) to amend the revenue act of 1921 in respect to capital gains and losses, and for other purposes.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had passed the following bills and joint resolution of the Senate:

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 4322. An act for the relief of the owners of the barge *Havana;*

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma; and

S. J. Res. 168. Joint resolution in relation to a monument to commemorate the services and sacrifices of the women of the United States of America, its insular possessions, and the District of Columbia in the World War.

The message also announced that the House had agreed to the amendments of the Senate to the bill (H. R. 6577) authorizing the conveyance of certain lands in the State of South Dakota to the Robert E. Kelley Post, No. 70, American Legion, South Dakota.

The message further announced that the House had agreed to the amendments of the Senate to the bill (H. R. 11528) to allow credits in the accounts of certain disbursing officers of the Army of the United States.

The message also announced that the House had agreed to the amendment of the Senate to the bill (H. R. 14226) to preserve the status of persons awarded compensation under the act approved September 17, 1916.

The message further announced that the House has 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. 14222) to amend the trading with the enemy act.

The message also announced that the House had agreed to the concurrent resolution (S. Con. Res. 35) authorizing the printing of all correspondence between the Department of Justice and others in 1922 relative to disorders in the United States in said year and the action of the Government in suppressing the same.

The message further announced that the House had disagreed to the amendments of the Senate to the bill (H. R. 6650) providing additional terminal facilities in square east of 710 and square 712 in the District of Columbia for freight traffic, requested a conference with the Senate on the disagreeing votes of the two Houses thereon, and that Mr. FOCHT, Mr. ZIHLMAN, and Mr. SULLIVAN were appointed managers on the part of the House at the conference.

The message also announced that the House had insisted upon its amendments to the joint resolution (S. J. Res. 287) creating the joint commission of gold and silver inquiry, disagreed to by the Senate, had agreed to the conference requested by the Senate on the disagreeing votes of the two Houses thereon, and that Mr. RHODES, Mr. COLTON, and Mr. WINGO were appointed managers on the part of the House at the conference.

The message further announced that the House had passed a joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, in which it requested the concurrence of the Senate.

AMENDMENT OF TRADING WITH THE ENEMY ACT—CONFERENCE REPORT.

Mr. CUMMINS. Mr. President, I desire to present the conference report on House bill 14222, to amend the trading with the enemy act.

The VICE PRESIDENT. The conference report will be read.

The Assistant 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. 14222) to amend the trading with the enemy act 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 (2) and (13);

That the House recede from its disagreement to the amendments of the Senate numbered (1), (4), (6), and (11), 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 matter proposed to be inserted by said amendment insert: ": *Provided*, That no insurance partnership, association, or corporation, against which any claim or claims may be filed by any citizen of the United States with the Alien Property Custodian within 60 days after the time this paragraph takes effect, whether such claim appears to be barred by the statute of limitations or not, shall be entitled to avail itself of the provisions of this paragraph until such claim or claims are satisfied"; 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 proposed to be inserted by said amendment insert: ": *Provided, however*, That this subsection shall not affect any rights which any citizen or subject may have under paragraph (1) of this subsection"; and the Senate agree to the same.

Amendments numbered (7), (8), (9), and (10): That the House recede from its disagreement to the amendments of the Senate numbered (7), (8), (9), and (10), and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendments insert "3"; and the Senate agree to the same.

Amendment numbered 12: That the House recede from its disagreement to the amendment of the Senate numbered 12, and agree to the same with an amendment as follows: Omit the matter proposed to be stricken out by said amendment and insert:

"SEC. 23. The Alien Property Custodian is directed to pay to the person entitled thereto, from and after the time this section takes effect, the net income, dividend, interest, annuity, or other earnings, accruing and collected thereafter, on any property or money held in trust for such person by the Alien Property Custodian or by the Treasurer of the United States for the account of the Alien Property Custodian, under such rules and regulations as the President may prescribe, but no person shall be paid, under this section, any amount in excess of $10,000 per annum.

And the Senate agree to the same.

ALBERT B. CUMMINS,
THOS. STERLING,
HENRY F. ASHURST,
Managers on the part of the Senate.
WALTER H. NEWTON,
W. J. GRAHAM,
CLARENCE F. LEA,
Managers on the part of the House.

Mr. McKELLAR. Mr. President, what was done with reference to the attorney fees provision?

Mr. CUMMINS. It was reduced from 10 per cent to 3 per cent.

Mr. McKELLAR. I do not see the Senator from Ohio [Mr. WILLIS] here. He was very much interested in that provision. I really do not believe Congress ought to be legislating about attorney fees. I think it is very unwise to do so. It may involve us in all kinds of scandal before this matter is concluded.

Mr. HITCHCOCK. But this is only a limit. It does not provide for attorney fees.

Mr. CUMMINS. It is a limit of 3 per cent.

Mr. McKELLAR. I see that the Senator from Ohio [Mr. WILLIS] has just entered the Chamber, and I turn the matter over to him. However, I am opposed to it.

Mr. WILLIS. May I inquire what was done with the amendment striking out section 23?

Mr. CUMMINS. Section 23 is in the bill, but it is limited to the payment of $10,000 on account of incomes received after the bill becomes a law. It has no retroactive aspect.

Mr. WILLIS. Will the Senator state what the conferees did with reference to the report as to attorney fees?

Mr. CUMMINS. It is limited to a 3 per cent maximum. It was 10 per cent, as provided by the House, but the conferees reduced it to 3 per cent.

Mr. KING. I would like to ask the Senator from Iowa what was done with the amendment offered by the Senator from Wisconsin [Mr. LENROOT]?

Mr. CUMMINS. It was agreed to.

Mr. WILLIS. Mr. President, I am not disposed to detain the Senate. Of course I think the amendment relating to attorney fees which the Senate adopted was better than the one the conferees agreed upon, but the conferees have done tolerably well. Three per cent is very much better than 10 per cent. I shall not oppose it further.

Mr. CUMMINS. I move the adoption of the conference report.

The report was agreed to.

ADDRESS BY SENATOR FRELINGHUYSEN.

Mr. FRELINGHUYSEN. Mr. President, I do not wish to delay the work of the Senate for any extended period, but I felt that I could not leave the Senate without saying a few words at parting with my friends in this body. I shall take but a very brief time in doing so.

Mr. President, in a short time the Sixty-seventh Congress will adjourn and many of us will retire from the Senate. I am one of those whose service will end. I can not complete my term without giving some expression to the feelings of friendship I have for those with whom I have served during the eventful six years which have passed.

It was the ambition of my life to represent my State in the United States Senate. I felt that it was the highest honor that could be granted to anyone. My ambition to represent New Jersey has been fulfilled and I have been privileged to sit in the Senate during the most eventful period in the country's history. It was also my ambition to represent my State as acceptably and capably as the three Senators of my name and family who have preceded me in this body, and I hope I have measured up in some slight degree to the high standards they set.

I make no boast of any particular political virtue, but I have always felt it a duty to stand for clean politics, for constructive measures, for helpful service, and right rather than political expediency.

Although the verdict of the majority of the voters of my State has ended my commission to serve New Jersey, I feel that I can retire with the consciousness that I have done my best and have tried to serve with sincerity of purpose and have lived up to the standards in which I believe. As I go forth again as a private citizen I know that I have the respect of my constituency, even if they did not all vote for me.

I regret leaving the splendid fellowship of my friends here. These friendships which I have formed will endure as long as I live.

New Jersey was one of the original thirteen States which formed the Union. Upon her soil were fought the great battles which gave us independence and made possible the formation of the Republic. Jerseymen are justly proud of this tradition, and it has been my earnest endeavor to uphold that historical position.

Our independence as a Nation was due to this Revolution. The independence of some Jerseymen in the recent election was due to another revolution more recent than the first. Nobody has had more experience with that revolution than I have had.

I come from a section of the country which is one of industrial greatness and financial strength. This territorial advantage was not due to any choice of mine but to my Holland ancestors, who settled in New Jersey 200 years ago and helped make the State what it was and is. Each succeeding generation has remained there, due probably to the nonnomadic habits of the Dutch. I have tried, however, to serve without sectional prejudice or partisan rancor. With the Senators from the South I have endeavored to meet the many problems of that section of the country and help them in the discouragements and financial setbacks they have had to face and the legislative measures they proposed for relief. While not a member of the farm bloc, I have supported its efforts to relieve the burdens of the farmers of the West; and while I have not been able to meet some views I have thought too extreme I have seen in that movement not government by a class, as many charge, but an honest fight for justice to those who till the soil.

I was brought up to believe in the Constitution of the United States, strict obedience to law, the Dutch Reformed Church, and the Republican Party. I must confess that these institu-

tions of conservatism may have had some effect upon me and my service here. Modern statesmanship seems to have parted somewhat from these conservative principles, and we now face the extremist in and out of our legislative halls who proposes patent medicines to cure all the ills of this stormy period. Some seem to believe that legislation can be made the panacea for all the ills of the body politic, but I adhere to the Constitution, to its principles, and shall continue to cling to that old faith. For 140 years we have been guided as a Nation by the faith of the fathers and their plan of government. I refuse to be parted from the old moorings, and while it may be called a narrow-minded vision by some to preserve this attitude of faith in constitutional government, I prefer it.

My business training and instinct leads me to express the hope that in the next Congress will come the much-needed reform in the rules, so that the country's business can be transacted more promptly and by the majority.

I have again and again during my experience here seen this Senate, by reason of its rules, become pitiful through its impotence to control its own body.

If the Senate is to retain the esteem of the country which it has hitherto at times enjoyed, those that remain here to serve must recognize the great weight of public opinion demanding this change of policy.

I say this without any feeling of unfriendliness to those who disagree with me, as I believe that, although we have our different views and although the currents of politics sway us to and fro, underneath the skin of everyone who serves here is a better nature, a sterling patriotism, and love of country.

May I express, in closing, my deep appreciation to the Vice President who presides over this body for his many courtesies extended to me; may I thank also my friends, the secretaries and clerks of the Senate, for their helpful assistance, as well as my boy friends, the pages, for their courteous attention.

To my colleagues I have this to say in conclusion: As you face the future and the important questions you will be called upon to settle in this legislative body, may you have the broadest vision and wisdom and may you continue those policies of government which have made for the greatness of our people and the welfare of our beloved country.

ADDRESS BY SENATOR SUTHERLAND.

Mr. SUTHERLAND. Mr. President, I shall not undertake in the limited time at my disposal to express at length the thoughts that come to my mind at the conclusion of 10 years of congressional service, of which 4 years were spent in the House of Representatives and 6 years in the Senate. I have regarded my successive elections by the people of West Virginia to these positions as affording me a wonderful opportunity for service, and I have endeavored during all these years to give the very best service of which I was capable. I am grateful to the good people of my State for having thus favored me. I have accepted the result of the election in West Virginia, terminating to-day my term of service here, I trust, in a true philosophical spirit, and I may say, without reservation, that I have done so without regrets or without recriminations of any kind. I shall return to my State in the immediate future to take up my labors for my family, feeling confident that I can put in the remaining years of my life in hard consecutive work to good advantage. My only regret is the sundering of the pleasant associations which have been formed as a Member of the two greatest legislative bodies in the world. My relations with those in both Houses have without exception been agreeable and pleasant and I have the profoundest respect and admiration for the membership of these bodies.

I am not one of those who believe that this great country is going to destruction through any lack of consecrated effort on the part of its legislators. While the functioning of the Senate may not always be letter perfect, yet my experience here convinces me that there is nowhere in the world a more industrious or patriotic body of men than are to be found here. It would be strange indeed if there were not radical differences of opinion among the men of strong minds and personalities who compose the membership of this body, representing, as they do, sovereign States whose interests are not always identical, and yet whose well-being and prosperity mean the well-being and prosperity of the whole. Most of the results of legislation are brought about by the intelligent compromise of these differences, and usually these compromises are effectuated in a spirit of earnest cooperation, and certainly with a conscientious regard on the part of each toward his obligations to State and Nation. I am profoundly impressed with the desire on the part of each to contribute in his own way toward the solution of the mighty problems which come before this body for final determination. When legislators devote themselves in this way to their task the country is certainly safe.

In conclusion, Mr. President, I desire to express to each and every Member of this body my appreciation of the uniform courtesy which has been accorded to me, and to extend to you, the Presiding Officer, and to the membership and all attachés my cordial good wishes for the future.

Mr. President, some weeks ago I offered a number of prizes to the high-school boys and girls of West Virginia for the best essays upon the subject "West Virginia, a Good Place in Which to Live." A highly competent committee of able and distinguished men was appointed to consider the merits of these essays, and after careful deliberation they selected the one they regarded as having the most merit. It was written by a young lady in a small town in Kanawha County, W. Va., and because of the fact that so many untrue statements have been made regarding the great State which I have had the honor to represent in part in this body, I am led to place in the CONGRESSIONAL RECORD this splendid essay, which sets forth briefly and in terse language many important truths about West Virginia. I ask unanimous consent that the essay referred to may be printed as a part of my remarks in 8-point type.

There being no objection, the essay was ordered to be printed in the RECORD in 8-point type, as follows:

[The essay awarded first prize in the Sutherland essay contest, open to high-school students of West Virginia, written by Miss Maxine M. Williams, Plus, Kanawha County, W. Va.]

WEST VIRGINIA, A GOOD PLACE IN WHICH TO LIVE.

West Virginia is a good place in which to live. It has natural beauty, progressive schools, splendid citizens, efficient government, and growing cities. It has rich soil, a genial climate, fine building materials, good transportation facilities, thriving industries, and great mineral wealth. Great commercial success awaits the State and the people who develop its resources.

Nature has given to West Virginia wonderful scenery. From the Alleghanies on the east, 4,860 feet above sea level, to the undulating Ohio plains on the west, 500 to 600 feet above sea level, there is an ever-changing panorama of beauty—hills in the green of summer or the crimson, orange, russet, and gold of autumn, veiled by blue haze and silver mist—colorful clumps of wild honeysuckle, dainty arbutus, stately laurel, and rhododendron—rugged canyons, curving rivers, and sparkling springs, many of which are mineral. White Sulphur, having probably the finest hotel in the South, is the most famous of the mineral or healing springs.

West Virginia has good schools, from primary to university. The State, parents, teachers, and children are cooperating to make the educational system better each year. Last year $11,402,000, almost four times the expenditure of 1910, was spent upon the common schools. In the past 10 years the State has trebled its number of high schools. Six excellent normal schools are training teachers for the important task of instructing pupils in the subjects that prepare for "complete living." Approximately 200 men and women teach the 2,700 students of the university. Through extension work the university constantly strives to help more citizens.

At Institute, Bluefield, and Harpers Ferry are schools for the higher education of the Negro race. At Romney, blind and deaf youth are educated in studies and trades that enable them to become self-supporting. Instead of permitting wayward boys and girls to go unhindered to destruction, separate industrial schools guide many of them into useful citizenship.

The people of West Virginia are brave, industrious, law-abiding, and intelligent. The battle fields of every war from the Revolution to the World conflict have proved their courage. In 1920 over $281,000,000 was on deposit in the banks of the State. Since the population at that time was 1,462,701, the per capita bank account was a little more than $191. No more acts of lawlessness occur in West Virginia than in other similar areas of United States territory. Melville Davisson Post, short-story writer; Henry Sydnor Harrison, novelist; Herbert Quick, novelist; Waitman Barbe, poet; Joseph Rath, mathmetician; and I. C. White, geologist, demonstrate the thinking ability of some West Virginians. Most of the people of the State are native born. There are many negroes, but the majority of the population is white. There are no conflicts. The two races live in perfect harmony and understanding.

The citizens of West Virginia believe in good government, and they have it. The legislators are intelligent, capable, liberal, and progressive. The statute books are full of laws for the good of man, and they are being enforced. State provision is made for the care of the public health, as well as the general welfare of the people. West Virginia is among the

States having the lowest percentage of tuberculosis. Longevity goes to the peak in the Mountain State.

West Virginia people are not crushed by excessive taxes. In 1918 the rate of taxation was $0.07 on each $100 of assessed valuation; the total valuation was $1,366,139,828. The State owes little—$15,000,000 of recently issued road bonds and $11,000,000 for the Virginia debt, making the total debt about $26,000,000.

West Virginia's cities are growing rapidly. Broad, well-paved streets, splendid business houses, handsome churches, beautiful homes, fine schools, and thriving industries make the cities of the State pleasant and profitable for home, business, and pleasure.

No State has more beautiful churches than West Virginia. A magnificent ministry instructs the people from the Divine Book. Eighty-six per cent of the church membership is Protestant. The leading denominations are Methodist, Episcopal, Baptist, Catholic, and United Brethren.

Rich soil and a genial climate give to West Virginia great agricultural possibilities. In 1919 the value of farm crops was $96,537,000. Last year the State produced 4,250,000 bushels of wheat, 5,400,000 bushels of oats, and 22,100,000 bushels of corn. Delicious apples and luscious peaches are making West Virginia famous. One county, Berkeley, in good seasons, produces 500,000 barrels of apples, more than either Oregon or Washington. There are 20,000,000 fruit trees in the State. Small fruits—strawberries, raspberries, and blackberries—many kinds of vegetables, and various nuts flourish in West Virginia. Truck farmers have brilliant opportunities in the State. No long rainy seasons, withering droughts, or extremes of heat or cold plague West Virginia. Forty-five inches of rainfall, well distributed over the year, furnish abundant moisture for growing crops and rivers to float them to market.

Four of West Virginia's rivers are locked and dammed for navigation. The rivers of the State can produce enough electricity to furnish power and lights to all the homes and factories in West Virginia if it ever becomes necessary. The rivers are estimated to have a maximum potential energy of 1,162,000 horsepower, more than any other State.

West Virginia has not only good water transportation, but also hard roads, steam railways, and electric lines. At present there are 1,178 miles of class A highways in the State and $50,000,000 in the hands of the State road commission to bring the class A mileage to 3,500. Hundreds of miles more of hard roads will be maintained by individual counties. The Midland Trail, a national highway, traverses West Virginia from east to west. Twelve railroads and branch lines, collectively measuring 3,199 miles, serve most parts of the State. Several hundred miles of electric lines connect the leading cities with each other and the surrounding rural sections.

One great benefit of hard-surfaced roads is the consolidation of schools. The isolated, uncomfortable insanitary, and too often unsightly one-room schoolhouses are eliminated and the children transported, perhaps in motor busses, to attractive, modern buildings, where they generally receive better instruction than the one-room school affords, because of better grading and more time for individual help.

West Virginia is well supplied with building materials. An abundance of building stone and limestone for manufacturing cement are found in the State. Quantities of fine timber exist also. Six hundred and ninety-seven million six hundred thousand feet of lumber was cut in 1920. West Virginia stands second among the States in production of hardwood, yielding more yellow poplar and chestnut than any other State. There are 800,000 acres of virgin forest—enormous oak, chestnut, poplar, beech, hickory, ash, and maple trees—3,500,000 acres of valuable second-growth timber, and 5,000,000 acres of farm woodland.

Much food for the taking is found in the streams and forests. The rivers abound with fish and the hills with wild game—deer, bears, coons, and wild turkeys in the dense timber; rabbits, opossums, and pheasants in most sections. Truly West Virginia is a sportsman's paradise. A few eagles, many hawks and owls, and large numbers of song birds nest in the State.

Many domestic animals and fowls are raised in West Virginia. Thousands of magnificent cattle are found in the hills and blue-grass valleys of the State. Numerous farmers and companies are engaged in the breeding of thoroughbred, high-type cattle and sheep and swine. The superior, fat, grass-fed cattle of West Virginia are famous. No other State in the Union has such a reputation for fat lambs and sheep. For three consecutive years New York Stock Market reports stated that West Virginia sent the best carloads of lambs that entered Jersey City market. All of the State is splendidly adapted to the production of the mutton breed of sheep; large areas, especially in the northwest, are unsurpassed for the production of the finest merino wool. At the Paris Exposition wool grown in Brooke County was awarded first prize; 587,000 cattle, 510,000 sheep, and 305,000 swine are fed in the State. Multitudes of chickens, ducks, turkeys, and geese are annually raised.

West Virginia's greatest source of wealth is minerals. The State has great stores of coal, oil, and gas. Only Pennsylvania produces more coal. Last year 90,400,000 tons of coal, worth $400,000,000 at the mines, came from West Virginia. The State contains the greatest acreage of high-carbon coal of any district in the world. Eighty-nine seams of coal are found in West Virginia; 49 counties produce it. In 1921, 116,726 men mined coal in 1,570 openings owned by 993 companies. West Virginia coal is used on warships, on merchant vessels, and in countless homes and factories. Only 1,000,000,000 tons have been mined up to this time. There is a reserve of 160,000,000,000 tons. At the present rate of mining that reserve will not be exhausted in 1,800 years.

The by-products of coal are many and of great value—perfumes, dyes, bases for powerful explosives, and so forth. Numbers of people will become rich through their manufacture.

West Virginia has for years stood first in natural-gas production. The State produces two-fifths of all the gas that is yielded in the Nation and contains 30 per cent of the gas area. Each day 500,000,000 cubic feet of gas are piped to Pittsburgh, Cincinnati, Cleveland, Indianapolis, and other points. Another 500,000,000 cubic feet are daily used in the State's own homes, factories, and cities.

Thirty-one of West Virginia's counties produce oil of high quality. Last year the wells yielded 8,173,000 barrels, and there is a 200,000,000 barrel reserve. All mineral products of the State for 1920 were valued at $632,800,000. Surely West Virginia is a good factory location.

Cheap fuel and abundant raw materials have brought many factories to the State. In 1919 West Virginia factories produced $471,000,000 worth of goods. There were 20 iron and steel factories, with 11,630 employees and products worth $85,036,000; 77 glass plants, with 11,668 employees and $42,730,000 worth of products; 643 lumber and timber product plants, with 12,427 employees and products worth $34,420,000; and others with smaller productions. At that time the State had 869 factories, with an annual production valued at $5,000 to $20,000; 649 with a $20,000 to $100,000 annual output; 340 with a $100,000 to $500,000 output; 78 with a $500,000 to $1,000,000 output; and 94 with a yearly output of more than $1,000,000. Three potteries each produced more than $1,000,000 worth of ware. Six plants each manufactured more than $1,000,000 worth of lumber and timber products. Twelve glass factories each passed the $1,000,000 mark. The Mountain State stands first in glass manufacture and sixth in steel and rolling mill manufactures. Clays, shales, and silica beds exist in immense quantities and make possible the production on a large scale of brick and glass of every quality.

Many, if not most, of the factories are attractive, sanitary buildings, equipped with the best machinery. Injured workers or their families are compensated. Often the employers build inviting homes and rent or sell them reasonably to employees.

There are more of the elements, resources, and conditions which make for profitable occupation of brains, men and women, and money, and more of the conditions and environments which enter into healthful, happy life for men and women in West Virginia than in any like area in the world. In West Virginia manhood is respected and promoted, womanhood is esteemed and protected, and children are subjects of the greatest interest and development. West Virginia is truly a good place in which to live.

HIGH COST OF GASOLINE AND OTHER PETROLEUM PRODUCTS.

Mr. LODGE. Mr. President, I am about to move an executive session, but I yield to the Senator from Wisconsin for the purpose of filing a report.

Mr. LA FOLLETTE. Pursuant to the unanimous consent accorded to me on the 1st day of March, I present the report (No. 1263) of the investigation provided for in Senate Resolution 295, with illustrations, which I ask to have printed.

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

EXECUTIVE SESSION.

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

Mr. CURTIS. I ask the Senator if he will not move an open executive session, unless the matter is such that that can not be done?

Mr. LODGE. There is a treaty to be disposed of.

Mr. CURTIS. Very well.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 25 minutes spent in executive session the doors were reopened.

ADDITIONAL CLERK FOR COMMITTEE ON MILITARY AFFAIRS.

Mr. WADSWORTH. I ask unanimous consent that the Senate proceed to the consideration of Senate Resolution 403, further continuing the employment of an additional clerk to the Committee on Military Affairs.

There being no objection, the Senate proceeded by unanimous consent to consider the resolution, and it was read and agreed to, as follows:

Resolved, That Senate Resolution 340, agreed to September 18, 1922, authorizing the Committee on Military Affairs to continue the employment of an additional clerk, payable out of the contingent fund, until the end of the present Congress, be, and the same hereby is, further continued in full force and effect until the end of the Sixty-eighth Congress.

ADDITIONAL CLERK TO DISTRICT COMMITTEE.

Mr. BALL. Mr. President, I ask unanimous consent for the immediate consideration of Senate Resolution 437, continuing the employment of an additional clerk for the Committee on the District of Columbia.

The VICE PRESIDENT. The resolution will be read.

The Assistant Secretary read the resolution (S. Res. 437) submitted by Mr. BALL on February 12, 1923, as follows:

Resolved, That S. Res. 339, agreed to September 13, 1922, authorizing the Committee on the District of Columbia to continue the employment of an additional clerk, payable out of the contingent fund, until the end of the present Congress, be, and the same hereby is, further continued in full force and effect until the end of the Sixty-eighth Congress.

Mr. OVERMAN. Mr. President, I should like to inquire why this committee needs an additional clerk at this time. Each Senator has four clerks, and the committee may have more. I do not know as to that. I do know, however, that we are going to adjourn, the committees will all adjourn, and what is another clerk to do? Where are the four clerks the Senator has?

I have not any especial objection to the Senator's resolution. I did not object to the one of the Senator from New York [Mr. WADSWORTH], because I know that the Military Affairs Committee is at work all the time; but why should the Committee on the District of Columbia have another clerk?

Mr. BALL. Mr. President, the Committee on the District of Columbia has a number of investigations to make during the summer months.

Mr. OVERMAN. I should like to have order.

The VICE PRESIDENT. There must be order in the galleries, and no conversation.

Mr. BALL. Mr. President——

Mr. SMOOT. I will yield to the Senator for the consideration of the resolution providing it does not lead to any discussion whatever.

Mr. LODGE. Permission was granted before we went into executive session.

Mr. SMOOT. Very well, then.

Mr. McKELLAR. What is the resolution?

Mr. BALL. The resolution is to grant permission for the employment of my extra clerk of the Committee on the District of Columbia during the summer months.

Mr. McKELLAR. I have no objection, provided the resolution for investigating the street-car fares is permitted to be considered. Otherwise I shall object.

The VICE PRESIDENT. There is objection.

REQUEST RELATIVE TO PRINTING.

Mr. HEFLIN. Mr. President, will the Senator from Utah permit me to ask unanimous consent respecting a matter I had placed in the RECORD on yesterday?

Mr. SMOOT. If it does not lead to any discussion.

Mr. HEFLIN. I got permission on yesterday to have printed certain material in the RECORD. I ask permission to have it printed in 8-point type.

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

AMENDMENT OF REVENUE ACT OF 1921.

Mr. SMOOT. Mr. President, the unfinished business is H. R. 13770, an act to amend the revenue act of 1921, in respect to capital and gains and losses, and for other purposes. It was discussed somewhat last night; and it was made the unfinished business, with the understanding that the senior Senator from New Mexico [Mr. JONES] would consider the bill overnight and would decide this morning as to whether he would allow the bill to pass at this session or not. I spoke to the Senator in relation to its passage, and I gather from what he says that he does not feel that it is proper to allow the bill to pass at the present session of Congress. I ask the Senator if that is the case?

Mr. JONES of New Mexico. Mr. President, I hardly like to have it put that way. I believe that this section of the revenue law should be revised, but in the closing hours of the Congress I do not believe we have an opportunity to give to it the careful consideration which its importance demands. I believe that it will work an injustice.

During the last year the people of the country holding what might be termed "liquid assets, stocks, and bonds" on which they had suffered losses have taken those losses, and in their returns for the year 1922 they will be entitled to deduct the full amount of those losses. The taxpayers of the country having less liquid assets, who have not been able to take their losses through sales, will only be permitted to deduct 12½ per cent of their net losses.

Mr. McCORMICK. Mr. President, a point of order.

The VICE PRESIDENT. The Senator will state his point of order.

Mr. McCORMICK. An unbroken murmur of voices, both on the floor and in the galleries, absolutely precludes hearing the Senator from New Mexico on this side of the Chamber.

The VICE PRESIDENT. There must be quiet in the galleries and Senators will please refrain from audible conversation.

Mr. JONES of New Mexico. I realize the situation here, and the confusion which makes it necessary to raise one's voice above what anybody would like to do and retain the composure which the importance of the subject demands. I sincerely hope that there may be less confusion in the Chamber.

I may answer the Senator from Utah by saying that I am unwilling for this bill to pass in its present form. I would be willing to take the matter up and revise the provisions of the bill and adjust the situation so that it would be better than is provided for in existing law, but I do not believe that we could do that in an orderly way this morning and within the limited time, and I therefore suggest that the unfinished business be laid aside.

Mr. SMOOT. Mr. President, I understood the Senator correctly, then, that he did not propose that the bill should be passed at this session of Congress. It would be perfectly useless to accept an amendment to it, because it would have to go back to the House and there would have to be a conference, and there is no need of spending any time in the present consideration of the bill under those circumstances. I want to say, however, that at the very next session of Congress this bill will be introduced not only in the House but in the Senate, and at that time the Senator will have ample time to bring forward any amendment he desires to offer to it.

Mr. JONES of New Mexico. I did not hear or could not hear the Senator from Utah, but the suggestion has just been made that the bill does not affect any gains or losses except for the calendar year 1923 and future years; and next December, when we meet, we may then take up this measure, if we care to do so, and revise it so as to make it a proper measure and to make it applicable to the incomes of 1923, and the Treasury will not lose a dollar.

Mr. SMOOT. Mr. President, of course the Senator knows that retroactive legislation affecting taxation has never been agreed to in the House of Representatives, and I do not think it will be at any time in the future. In fact, I want to say to the Senator that I am opposed to retroactive legislation of that kind.

Mr. WALSH of Massachusetts. Is not this bill retroactive?

Mr. SMOOT. It begins the year——

Mr. WALSH of Massachusetts. We are asked to pass a bill now that is supposed to be operative dating back to January 1, 1923.

Mr. SMOOT. Beginning with January 1 of this year.

Mr. WALSH of Massachusetts. What is the difference between passing it in December and passing it now?

Mr. SMOOT. It gives the man who is escaping taxation from this date until we pass the bill next December, if it is passed, to make all the money he can in selling all of his worthless stock, in which there is a loss made. That is the difference. I say to the Senator now, and I say to the Senate, and I say to the country, that there will be a loss of millions and tens of millions of dollars to the Treasury of the United States if this bill does not pass.

Mr. WALSH of Massachusetts. If the abuse which the Senator refers to can take place until next December, it can take place between now and December if we pass the law.

Mr. SMOOT. The Senator is wrong in that. There is no necessity discussing that any further.

Mr. President, as the bill can not pass, I am going to take a few moments' time on another matter.

CONFIRMATIONS OF POSTMASTERS.

Mr. TOWNSEND. Will the Senator from Utah yield to me to make a unanimous-consent request?

Mr. SMOOT. If it does not lead to any discussion, I will yield.

Mr. TOWNSEND. Yesterday I was not able to be here, and it appears there were certain nominations for postmasters from the State of Idaho, which were sent to the Secretary's desk, but somehow or other were mislaid. There are three of them. I ask unanimous consent that the nominations be taken up as in open executive session and passed upon now, as both Senators from Idaho, I understand, have agreed to them. I ask for the immediate consideration of the nominations.

The VICE PRESIDENT. They will be reported.

Mr. MOSES. With the report of the Committee on Post Offices and Post Roads, I ask unanimous consent to submit the nomination of D. L. Hyder to be postmaster at Elizabethton, Tenn.

Mr. TOWNSEND. I ask that they be considered en bloc. I would like to have the names read, so that if there is any objection as to any one of them it can be made.

The Assistant Secretary read as follows:

Burton D. Fox to be postmaster at Challis, Idaho, in place of E. W. Keyes. Incumbent's commission expired September 5, 1922.

Mildred W. Des Voignes to be postmaster at Deary, Idaho, in place of B. M. Gorrie, resigned.

Alexander R. Wright to be postmaster at Oakes, N. Dak., in place of J. M. Hamill. Incumbent's commission expired November 21, 1922.

Daniel L. Hyder to be postmaster at Elizabethton, Tenn., in place of D. M. Brumit, resigned.

The VICE PRESIDENT. Is there objection to the immediate consideration of these nominations in open executive session? The Chair hears none. Will the Senate advise and consent to the nominations? [Putting the question.] The nominations are confirmed.

Mr. TOWNSEND. I ask that the President be notified.

The VICE PRESIDENT. The President will be notified, and the Senate resumes legislative business.

AMENDMENT OF REVENUE ACT OF 1921.

Mr. GLASS. Mr. President, may I inquire of the Senator from Utah if it is his purpose to pursue this unfinished business?

Mr. SMOOT. I want to pursue it unless there is some special reason for not doing so.

Mr. WALSH of Massachusetts. Mr. President——

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

Mr. SMOOT. I yield.

Mr. WALSH of Massachusetts. Will the Senator permit me to make a very brief statement about this bill?

Mr. SMOOT. Mr. President, I think I had better proceed now.

Mr. WALSH of Massachusetts. I would like to make a statement about this bill.

Mr. SMOOT. The Senator will have time. I am not going to take very much time of the Senate.

Mr. WALSH of Massachusetts. All I wanted to say was that I was neither opposed to nor for the bill. I have not had a chance to study it, but protests have come to me from financiers in my State, asking that the bill be amended. I have not had time to consider it, and that is the reason I am taking the attitude that it should go over.

Mr. SMOOT. I think the Senator has received the same protests I have, and I do not wonder at the protests, coming from the source they do. I can show the Senate of the United States advertisements in the press appealing to people who have stocks which have decreased in value, showing them how they can escape taxation, but if this bill is passed they can not.

Mr. WALSH of Massachusetts. The communications which have come to me have not been in opposition to this bill, but have asked for amendments to it.

Mr. SMOOT. Of course we can not do that at this session of Congress, because that would defeat the bill, on the face of things.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the Speaker pro tempore of the House had signed the following enrolled bills and joint resolutions, and they were thereupon signed by the Vice President:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 4322. An act for the relief of the owners of the barge *Havana;*

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States;

H. R. 297. An act for the relief of Mrs. Vincenza Diminico;

H. R. 514. An act authorizing the payment of an amount equal to six months' pay to Josephine H. Barin;

H. R. 624. An act for the relief of Albert H. White, Mary E. Fowler, Lorena B. Winkler, E. E. White, and C. A. White;

H. R. 745. An act for the relief of William H. Philbrick;

H. R. 1227. An act for the relief of Frank G. Emmes;

H. R. 1263. An act for the relief of Charles L. McCulley;

H. R. 2347. An act for the relief of certain homestead entrymen;

H. R. 4653. An act for the relief of Allie Melinda Outterside;

H. R. 5020. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes;

H. R. 6196. An act for the relief of Robert E. Danforth;

H. R. 6577. An act authorizing the conveyance of certain land in the State of South Dakota to the Robert E. Kelley Post, No. 70, American Legion, South Dakota;

H. R. 7027. An act for the relief of Herbert E. Shenton;

H. R. 7921. An act granting six months' pay to Alice P. Dewey;

H. R. 8051. An act for the relief of the Commonwealth & Dominion Line (Ltd.), owner of the British steamship *Port Phillip;*

H. R. 8221. An act for the relief of the Chinese Government;

H. R. 8291. An act for the relief of Trygve Kristian Lode;

H. R. 8533. An act for the relief of Joe T. White;

H. R. 8625. An act to provide for the cession to the State of Michigan of certain public lands in the county of Keweenaw, State of Michigan;

H. R. 8733. An act for the relief of Harold L. McKinley;

H. R. 8871. An act for the relief of Richard Andrews;

H. R. 8928. An act to provide for the classification of civilian positions within the District of Columbia and in the field services;

H. R. 9160. An act for the relief of John Anderson;

H. R. 9631. An act for the relief of Edward F. Dunne, jr.;

H. R. 10022. An act for the relief of Eldredge & Mason, of Malone, N. Y.;

H. R. 10847. An act for the relief of Jacob Dietch;

H. R. 10848. An act for the relief of Estella W. Dougherty;

H. R. 11528. An act to allow credits in the accounts of certain disbursing officers of the Army of the United States;

H. R. 12053. An act to define butter and to provide a standard therefor;

H. R. 12138. An act for the relief of Frank A. Jahn;

H. R. 12171. An act to grant certain lands to the city of Skagway, Alaska, for a public park;

H. R. 12378. An act granting consent of Congress to maintain a bridge across the Rio Grande River;

H. R. 12584. An act for the relief of Alice Loeber;

H. R. 13617. An act to dissolve the Colored Union Benevolent Association, and for other purposes;

H. R. 13724. An act for the relief of Hugh Marshall Montgomery;

H. R. 13751. An act authorizing the Secretary of the Interior to sell and patent certain lands to Robert E. Wyche, a resident of Caddo Parish, La.;

H. R. 13903. An act for the relief of the New York State Fair Commission;

H. R. 14089. An act granting six months' pay to Harriet B. Castle;

H. R. 14183. An act to authorize the Secretary of the Treasury to sell a portion of the Federal building site in the city of Duquoin, Ill.;

H. R. 14222. An act to amend the trading with the enemy act;

H. R. 14226. An act to preserve the status of persons awarded compensation under the act approved September 17, 1916;

H. R. 14296. An act to authorize the county of Huron, State of Michigan, to convey a certain described tract of land to the State of Michigan for public park purposes;

H. R. 14351. An act to authorize bridging the Ohio River at Moundsville, W. Va.;

H. R. 14428. An act granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Moorhead, Minn., and Fargo, N. Dak.;

H. R. 14429. An act granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Grand Forks, N. Dak., and East Grand Forks, Minn.;

H. J. Res. 415. Joint resolution to authorize the improvement of the Columbia River at St. Helens, Oreg.;

H. J. Res. 442. Joint resolution to authorize the transportation to Porto Rico of a committee representing the Fourth Ohio Infantry, war with Spain; and

H. J. Res. 465. Joint resolution carrying out the purpose of a House resolution providing for a legislative clerk to the acting minority leader of the House, adopted March 3, 1923.

ADVANCE IN SUGAR PRICES.

Mr. SMOOT. Mr. President, last Friday the junior Senator from Massachusetts [Mr. WALSH] had printed in the RECORD a circular letter signed by one M. Doran, an assistant secretary of the United States Sugar Association. Who he is, where he is from, no one seems to know.

Mr. WALSH of Massachusetts. Mr. President——

Mr. SMOOT. And I am going to take just a short time——

Mr. WALSH of Massachusetts. Will the Senator yield? The RECORD shows that he is secretary of the United States Sugar Association.

Mr. SMOOT. That is what I have said.

Mr. WALSH of Massachusetts. Does the Senator know of such an association?

Mr. SMOOT. I know of such an association.

Mr. WALSH of Massachusetts. What authority has the Senator to say that who he is and where he comes from, nobody knows?

Mr. SMOOT. If the Senator will please let me proceed without interruption, I will tell the Senator before I get through.

Mr. WALSH of Massachusetts. The Senator should not make incorrect statements.

THE SUGAR TARIFF.

Mr. SMOOT. Several weeks ago there was laid before me a closely typewritten seven-page letter bearing date of January 26, written by the "United States Sugar Association," and addressed to one of my colleagues, with the request that I have it analyzed.

I found the letter full of inaccuracies, truths half told, and colored statements, evidently designed to mislead my colleagues. Failing to find in it a fair or honest paragraph, I placed the letter in the hands of Truman G. Palmer, who is known the world over—ex cathedra—as the best posted sugar man and statistician in America, whose statistical loose-leaf sugar publication is used throughout the sugar-producing countries of the world, and is subscribed to by both beet and cane sugar producers. Even the seaboard refiners, who use the truth with such penurious frugality, admit and pay tribute to the reliability of Mr. Palmer's sugar statistics.

Mr. Palmer has gone over this letter very carefully, analyzing it from beginning to end, and furnished me with the statistical figures with explanations. I ask to insert these in 8-point type as a part of my remarks.

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

The matter referred to is as follows:

MISSTATEMENT REGARDING NEW YORK PRICE OF SUGAR SEPTEMBER 22 TO NOVEMBER 22, 1922.

In the opening paragraph the pretense is made that this seven-page closely typewritten letter is written "for the purpose of informing you about some of the effects of the tariff on sugar imposed by the Fordney-McCumber bill." We will endeavor to see whether it is information or misinformation these people are trying to spread among your colleagues.

The first statement of alleged statistical fact made by the refiners in their letter is as follows:

"Between the date of its approval, September 22, 1922, and November 22, 1922, the price of raw sugar advanced from 3 cents to 4 cents per pound, the duty-paid price of raw sugar from 4.78 cents to 5.78 cents per pound, and the New York price for refined sugar from 6.25 cents to 7.25 cents per pound, or all of above exactly 1 cent per pound."

Here is a definite statement covering three sets of quotations to the effect that in each case, from September 22, 1922, to November 22, 1922, the price of sugar in New York advanced "exactly 1 cent per pound." New York quotations of sugar are known to everyone in the trade and are open to the public through the pages of Willet & Gray's Statistical Sugar Trade Journal and various other trade publications.

How utterly unreliable are the figures the refiners give is shown by comparing them with the actual New York quotations on the dates mentioned. It will be seen that in but one instance have the refiners stated the figures correctly, and that instead of there having been an advance of "exactly 1 cent per pound" it was from three-fourths to a little over seven-eighths cent per pound:

	Price of raw sugar per pound.		Difference.
	Sept. 22.	Dec. 22.	
New York in bond:	*Cents.*	*Cents.*	*Cents.*
Refiners' statement	3	4	1
Actual price	3	3.825	.825
New York duty paid:			
Refiners	4.78	5.78	1
Actual price	4.77	5.65	.88
New York price of granulated:			
Refiners	6.25	7.25	1
Actual price	6.125	6.86	.735

A quarter of a cent a pound seems small, but when applied to the 3,237,449 tons of Cuban sugar which we consumed last year, we find that the refiners' figures are in error to the extent of no less than $16,000,000 on our 1922 consumption of Cuban sugar, and a quarter of a cent added to or taken from our total 1922 consumption would make a difference to consumers of no less than $28,000,000.

SENATOR BROUSSARD'S PREDICTION AS TO SIZE OF LOUISIANA CROP.

In the next paragraph they say:

"This advance took place despite the fact that the Louisiana cane crop was being marketed continuously and the domestic beet crop was being produced and was offered the opportunity of coming on the market freely to prevent this advance. As the Louisiana crop amounted to only 241,000 short tons, instead of 365,000 short tons predicted by Senator BROUSSARD during the course of the Senate debates, it was too insignificant to have any influence on prices, as our total annual consumption for 1922 turned out to be 5,703,888 short tons."

The difference between the actual Louisiana crop and Senator BROUSSARD's prediction was wholy due to an act of the American producers of sugar in Cuba. It was caused in the following manner:

In the summer of 1920, after the domestic beet and cane sugar crop had been exhausted and due to a shortage in sugar, the New York price of refined had risen to 12 cents per pound. To profit inordinately by reason of our apparent helplessness, the American and Cuban producers of sugar in Cuba, with nearly 700,000 tons of sugar in their warehouses, met in Habana, formed a pool, and agreed not to sell any of their product at less than 24 cents per pound. This forced the United States to scour the world for sugar and resulted in her securing approximately a million tons from 50 other countries at an average cost of about 15 cents per pound. This displaced the market for that amount of Cuban sugar and left Cuba with a carry over of 1,200,000 tons in January, 1921, and the price of sugar went to smash, throwing the island into virtual bankruptcy, all because of the rapacity of her American refining producers who thought they could bleed us white.

The price of sugar went so low that Louisiana found it impossible to finance for any but the smallest acreage, hence the decreased crop, all because of the attempt of the American producers of sugar in Cuba to bleed us for 24 cents per pound for their raw sugar at a time when we were practically out of sugar and their Cuban warehouses were bursting with several hundred thousand tons for which there was no market outside of the United States. In our time of need it was indeed a sordid return for the continuing favor we extended to Cuban sugar under the reciprocity treaty 20 years ago.

DOMESTIC FREIGHT (BEET) PROTECTION, 1½ CENTS PER POUND.

The next paragraph of the letter in question is as follows:

"As the domestic beet production for 1922 was 691,000 short tons, as compared with 1,020,000 short tons in 1921 and 1,060,000 short tons in 1920, and was therefore barely sufficient to supply local consumption needs during a period of six months, sales were confined to local territory, so that the beet fac-

tories could add to their price the freight protection that they were favored with over cane refineries, averaging 1½ cents per pound."

It will be news, indeed, and good news to the beet-sugar manufacturers to know that they enjoy an average freight protection of 1½ cents per pound against Cuban sugar at New York. This statement should bear the headline, "Important, if true." But it is not true.

Some years ago the figures were gathered and published showing the weekly cane and beet sugar quotations in Pittsburgh, Detroit, Chicago, Kansas City, Denver, and San Francisco for a period of six years. These tables included some 4,000 quotations. They cover the years 1913 to 1918. Below I reproduce the yearly averages of these figures, together with the New York averages. Quotations on the same day in the same markets were so wide in 1919 and 1920 as to preclude preparing similar tables for those years. I understand that quotations for subsequent years are now in course of preparation, but owing to continued unstable market conditions they will not form a reliable basis of comparison with normal conditions.

Average annual price of beet and cane sugar in certain leading United States markets, 1913–1918.

Year.	New York cane, refined, per pound.	Pittsburgh.		Detroit.		Chicago.	
		Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1913	4.278	4.431	4.287	4.461	4.316	4.519	4.375
1914	4.683	4.862	4.746	4.893	4.776	4.941	4.831
1915	5.559	5.726	5.529	5.755	5.560	5.814	5.616
1916	6.862	7.048	6.897	7.077	6.907	7.136	6.967
1917	7.663	7.855	7.437	7.914	7.468	7.726	7.523
1918	7.834	8.000	7.987	8.069	8.060	8.154	8.131
Average	6.146	6.320	6.147	6.361	6.181	6.381	6.240

Year.	Kansas City.		Denver.		San Francisco.	
	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.	Cane per pound.	Beet per pound.
	Cents.	*Cents.*	*Cents.*	*Cents.*	*Cents.*	*Cents.*
1913	4.597	4.453	4.937	4.742	4.645	4.449
1914	5.028	4.911	5.298	5.057	4.933	4.737
1915	5.892	5.690	6.149	5.949	5.850	5.635
1916	7.214	7.044	7.423	7.199	7.061	6.865
1917	7.792	7.610	8.004	7.816	7.461	7.314
1918	8.241	8.241	7.874	8.559	7.777	7.754
Average	6.460	6.325	6.614	6.553	6.288	6.126

By working out a general average for the entire six-year period we get the following results:

	Cane per 100 pounds.	Beet per 100 pounds.	Beet higher than New York cane per 100 pounds.	Beet lower than cane in same market per 100 pounds.
New York	$6.146		[1] $0.055	$0.229
Pittsburgh	6.320	$6.091	[1] .131	.346
Detroit	6.361	6.015	.112	.123
Chicago	6.381	6.258	.157	.157
Kansas City	6.460	6.303	.377	.091
Denver	6.614	6.523	[1] .027	.160
San Francisco	6.288	6.119	.072	.186

[1] Lower than New York cane price.

It will be seen from the figures above that instead of having an average freight advantage of 1½ cents per pound, as compared with the New York cane price, for the entire six-year period beet sugar sold in Pittsburgh, Detroit, and San Francisco at 5½ cents, 13.1 cents, and 2.7 cents, respectively, per 100 less than the New York price of sugar made from imported Cuban raws during the same period. It also will be seen that the average freight advantage enjoyed for six years by beet sugar in the six cities mentioned amounted to only 7.2 cents per 100 pounds, and not $1.50 per 100, as the refiners would have your colleagues believe. It also will be observed that in the same markets jobbers secured beet sugar at an average of 18.6 cents less per 100 than the price at which they were able to secure cane sugar made from imported Cuban raws. Had our entire consumption last year been made from domestic beets and been purchased at a like reduction from the price of imported Cuban sugar, the saving to our people would have amounted to over $21,218,000.

STATEMENTS OF SENATORS SMOOT, NICHOLSON, TOWNSEND, AND GOODING CRITICIZED.

The next paragraph of the letter reads as follows:

"They (domestic beet-sugar producers) did not rush into territory in which they would come into competition with sugar refined from Cuban cane and prevent this advance, in accordance with the claims that they have always done so made by Senators SMOOT, NICHOLSON, TOWNSEND, and GOODING during the course of the Senate debate."

In the above and in subsequent paragraphs where they say beet sugar was not offered freely and hence there was an unusual carry over into 1923, the refiners would lead the reader to believe the domestic beet-sugar manufacturers were trying to gouge the American people by exacting high prices for their product, when as a matter of fact their sugars were offered freely and every bag of it was sold at a lower price than imported cane sugar was selling for on the same day in the same market.

Reference to the pages of Willett & Gray's Statistical Sugar Trade Journal will disclose the truth or falsity of the thought the refiners would convey to my colleagues. Please bear in mind that Chicago is the great market for beet sugar, more beet sugar being marketed there than at any other point. From these quotations you will observe, first, that as soon as beet sugars were being produced they came into the market freely, not only in the markets from Chicago west, but east to Buffalo and Pittsburgh, right in the heart of the cane territory usually supplied by seaboard refiners. You also will note that each advance in price was made by seaboard refiners, the beet following but always selling at a lower figure than imported cane, and that the advances in price were not made because of the beet but in spite of beet competition. Copies of Willett & Gray's weekly notices concerning the movement of beet sugars from September 14 to December 31, 1922, the period alluded to by the refiners, are as follows:

MOVEMENT OF BEET SUGAR, SEPTEMBER 14 TO DECEMBER 28, 1922, AS NOTED BY WILLETT & GRAY.

W. & G., September 14, 1922: "Advices from Detroit state that the eastern beet sugar factories' new production will be available sometime between the 1st and 15th of October."

W. & G., September 21, 1922: "New crop beet sugars are offered more freely, but it is too early for actual sugars to appear in quantity, although Great Western advises that they are now offering beets at the 6.15 (6.027 net cash) seaboard basis in Chicago territory and westward. Eastern beets are expected to be available between the 1st and 15th of October. Many of the beet factories, including the Great Western, offer their sugars on a 30-day guaranteed contract, the guarantee applying against decline in the price." New York granulated, 6.125 net cash (cane).

W. & G., October 5, 1922: "Western beet in Chicago territory is quoted at 6.50 cents (6.370 net cash) seaboard basis." New York cane granulated, 6.37 cents net cash.

W. & G., October 11, 1922: "According to our advices from Detroit, Michigan new crop beet sugars are offered, subject to confirmation, at 6.50 cents (6.370 net cash) seaboard basis, shipment on or before October 31." New York cane granulated, 6.468 cents.

W. & G., October 19, 1922: "An interesting feature during the week has been the starting up of the Ohio and Michigan beet sugar factories, and which factories are quoting 6.80 cents (6.664 cents net cash) seaboard basis, no guarantee, shipment in turn, but which shipments are expected to start early next week." New York cane granulated, 6.90 cents (6.762 net cash).

W. & G., October 26, 1922: "At this writing, the demand at 6.90 cents (6.762 cents net cash) has improved materially, necessitating an advance of 7 cents (6.860 net cash) by American, National, Warner, and Atkins, and to 6.90 (6.762 cents net cash) by Arbuckle. Other markets made corresponding advances." New York cane granulated, 6.762 cents net cash.

W. & G., November 2, 1922: "The same conditions apply to the domestic beet industry as, although many of the factories advanced their list prices to 6.90 cents (6.762 cents net cash), there have been free offerings at the 6.80 cents (6.664 cents net cash) seaboard basis, and apparently a good business has been done." New York cane granulated, 6.762 cents net cash.

W. & G., November 9, 1922: "The eastern beet sellers have made an effort to advance their price above the 6.80 cents (6.664 cents net cash) seaboard basis, and the free selling and

easier conditions of the Louisiana clarifieds and plantation markets are also having their effect on the demand for refined sugar." New York cane granulated, 6.762 cents net cash.

W. & G., November 16, 1922: "Beet sugars continue unchanged at the 6.80 cents (6.664 cents net cash) seaboard basis both east and west of Chicago, but reports from the beet-growing sections are becoming more favorable, and it now looks as if the improved outturn recently looked for will not be obtained." New York cane granulated, 6.762 cents net cash.

W. & G., November 23, 1922: "We have had no new advices from the beet manufacturers, their quotation continuing to be maintained at 6.80 cents (6.664 cents net cash), seaboard basis, for territory east of Chicago to Buffalo, Pittsburgh, and west of Chicago to Rocky Mountains." New York cane granulated 6.86 cents net cash.

W. & G., November 29, 1922: "The beet-sugar situation has been somewhat irregular, the eastern beet manufacturers apparently being reluctant to advance, although on Monday they increased their price from 6.80 cents (6.664 cents net cash) to 6.90 cents (6.762 cents net cash) and later advanced their list basis to 7.15 cents (7 cents net cash), although their last advices to us are that the 7.15 cents (7 cents net cash) price is nominal and that they continue selling at 6.90 cents (6.762 cents) seaboard basis. The western manufacturers have also advanced their price to 7.15 cents (7 cents net cash), but it is somewhat doubtful whether they are firm at this price. Undoubtedly some sugars could be obtained from them at 7 cents (6.86 cents net cash) and probably at the price named by the western beet-sugar refiners." New York cane granulated 6.958 cents net cash.

W. & G., December 7, 1922: "Advices from eastern beet centers report a recession to the old price of 6.90 cents (6.762 cents net cash), seaboard basis, for favorable territory, although the list price was 25 points higher, and while the western beet manufacturers do not name anything below 7.10 cents (6.958 cents net cash), they undoubtedly are meeting the competition of the eastern manufacturers." New York granulated 6.958 cents net cash.

W. & G., December 14, 1922: "We have no important advices from the beet-growing sections, both eastern and western beets being quoted at 6.90 cents (6.762 cents net cash), seaboard basis." New York cane granulated 6.958 cents net cash.

W. & G., December 21, 1922: "Eastern beet manufacturers have reduced their quotation from 6.90 cents (6.762 cents net cash) to 6.80 cents (6.664 cents net cash) seaboard basis, but we have heard no advices from the western beet producers, whose quotation remains nominally 6.90 cents (6.762 cents net cash)." New York cane granulated 6.958 cents net cash.

W. & G., December 28, 1922: "Eastern beet sugars continue to be quoted at 6.80 cents (6.664 cents net cash), the same as previously reported from Michigan, but the western manufacturers, for territory west of Chicago to the Rocky Mountains, have advanced their price from 6.90 cents (6.762 cents net cash) to 6.80 cents (6.664 cents net cash), all beet quotations seaboard basis." New York cane granulated 6.86 cents net cash.

TARDY SALES OF 1922 BEET-SUGAR CROP.

The next paragraph of the letter is as follows:

"Ordinarily the domestic beet-sugar factories aim to dispose of two-thirds of their production between October 1 and January 1, as the prices then are generally higher than later when the Cuban and Porto Rican crops come on the market in large volume. But this year they have not disposed of one-quarter of their crop up to the 1st of January, and hence there is a carry over of domestic beet sugar into 1923 of 450,000 tons."

As with other statements of the refiners, the above is untrue. As shown by the monthly sugar reports of the Census Bureau, to January 1, 1923, there had been produced 683,603 tons of domestic beet sugar, and of the new crop there had been sold 258,111 tons, or 37.7 per cent and not less than 25 per cent, as stated by the refiners.

Their statement that "ordinarily" the beet sugar people aim to do this or do that is in error. The marketing of sugar, like that of all other staple crops, is a mere matter of merchandising coupled with financial ability. Some of the weaker companies are compelled to rush their sugars to market as soon as made, regardless of the prevailing price, while others are able to hold their product if they so elect. Or one guesses that the market is going up and markets leisurely, while another guesses that the market is going down and markets rapidly. All try to sell to best advantage, but for the following reasons domestic sugar always sells for a lower price than sugar made from foreign raw:

The normal beet sugar crop of the United States is sufficient to supply our requirements for less than three months Aside from California, the crop is made in three to four months—October to January—and finds our markets already supplied with imported cane sugar, the refiners of which are amply able to supply our total requirements the entire year So in order to induce the jobbers to break away temporarily from the refiners and handle the domestic product it is necessary for the domestic producers to offer their sugar at a lower price than cane, varying from 10 cents to as high as 40 cents per hundred, the size of the reduction depending upon the amount of competition among the beet people themselves As the domestic sugar comes on the market and is offered at a lower price than cane, the seaboard refiners gradually reduce their prices, first in the West, until finally when their margin of profit disappears they withdraw from the far West, then from Missouri River points, then Chicago, gradually retreating eastward until the flood of domestic sugar is absorbed, when they mark up the price and reenter the market.

In times gone by in an endeavor to crush the domestic beet sugar industry by forcing it to sell at a tremendous loss they have made their Missouri River price even lower than the price of raw sugar in New York, exhibiting a willingness to lose millions themselves if they but could ruin their competitor. But as such efforts proved futile, they now aim to withdraw when their profits reach the vanishing point, frequently closing down their refineries until the onrush of beet sugar is over.

BEET-SUGAR PRODUCERS WOULD NOT SELL PRODUCT EVEN AT HIGH PRICES.

The next statement of the refiners is as follows:

"They (the domestic beet-sugar producers) did not offer their product for sale freely at 7.25 cents per pound, seaboard basis, although the price during this period (September 22 to December 31) in the previous year, 1921, was 5.20 cents per pound, or 2.05 cents per pound less. Hence they displayed no philanthropy toward American consumers of sugar, as their Senate advocates and defenders have attempted to lead the public believe."

The sentence above is as misleading as are those which precede and follow it. It conveys the idea that from September 22, 1922, to December 31, 1922, the beet-sugar producers could have secured 7¼ cents per pound, seaboard basis, for their sugar but declined to sell at that figure. No one knows better than do the refiners that the highest net cash New York price at which granulated sugar sold in 1922 was 6.958 cents and that under no possible circumstances could a pound of either domestic or imported sugar have been marketed above that basis. As beet always sells below cane, of course "they did not offer their product for sale freely at 7.25 cents per pound." As well say they did not offer it at 10 or 20 cents per pound. They stated a truth, but with the deliberate purpose of deceiving the reader. Below are Willett & Gray's quotations for cane and beet granulated for the period in question:

	New York price, granulated.	Beet granulated, New York basis.
	Cents.	*Cents.*
Sept. 14	6.125	
Sept. 21		6.027
Oct. 3	6.370	
Oct. 5		6.370
Oct. 11	6.468	6.370
Oct. 13	6.615	
Oct. 16	6.762	
Oct. 19		6.664
Nov. 23	6.860	
Nov. 27	6.958	
Nov. 29		6.762
Dec. 26	6.86	
Dec. 28		6.664
Dec. 31	6.86	

As to philanthropy, no one claims to be actuated by philanthropic motives in disposing of his product, be it sugar or potatoes. They all get what they can in the open market. It is a "bogy man" the refiners set up to knock down. I have heard or read every sugar speech which has beeen delivered in both Houses of Congress for the past 20 years and do not recollect that any advocate of the domestic industry has been so foolish as to attribute philanthropic sentiments to the domestic manufacturers in the sale of their product. It is a clumsy attempt to ridicule the intelligence of Members of the Senate who are patriotic enough to defend the domestic industry and try and save it and the people from the machinations of refining and Cuban enemies.

The saving to the American people by reason of having established a domestic sugar industry comes not from philanthropy but because of the competitive conditions which Congress has established through levying such import duty as enables the domestic sugar industry to live and by competition prevent the

refiners and other American producers of sugar in Cuba from practicing extortion.

Philanthropy does not enter into the equation. It is purely a matter of national policy. And speaking of national policy; as I already have stated, either Cuba or the United States can produce our entire sugar supply. The question is, is it best for and safer for the American people to import our sugar from Cuba or produce it at home. We recently have passed through an illuminating experience which furnishes good ground on which to base logical conclusions. If we admit that domestic producers if given a chance would be as grasping as the producers of sugar in Cuba have proven themselves to be, we must not overlook the fact that our antitrust laws forbid domestic producers forming pools, combinations and selling agreements by which extortion might be practiced and that these laws can not reach the producer of sugar in Cuba.

All through the war, the United States Government by agreement with domestic sugar producers, fixed the maximum price at which their product could be sold, the price ranging from 7½ cents for the 1917 to 9 cents for the 1918 crops. To prevent excessive extortion on the part of producers of sugar in Cuba, the United States Government purchased the entire Cuban 1917–18 crop at more than double the price per pound they received for their 1914 crop. The following year we purchased their crop at an advance of 170 per cent above the price they received in 1914. The next year they offered us their crop at a price representing an increase of 220 per cent above what they received in the open market for their 1914 crop and we declined to purchase.

What would have happened to us had we not purchased their 1917 and 1918 crops at a fixed price, and what would happen to us at any time in the future should a sugar shortage confront us, can be judged by what these worthy philanthropists tried to put over on us in 1920, following our decline to purchase their 1919 crop. Because of the sugar shortage in June, 1920, refined granulated sugar sold in New York at 9.9 to 13.72 cents per pound. Cuban warehouses were bulging with between 600,000 and 700,000 tons of raw sugar and our sugar bins were empty. These philanthropic American producers of sugar in Cuba, who had fattened on the high prices we had paid them for their last two crops, thought they saw a chance to get any figure they might fix for their warehoused 600,000 tons of sugar. So, taking advantage of our apparent helplessness and dependency upon them, they met in Habana on June 30, 1920, and formed a pool, under the terms of which they agreed not to sell us a pound of raw sugar at less than 24 cents, or about twice the price that granulated then was selling for in New York.

By scouring the world for sugar and bringing in a little from each of 50 different countries, we managed to secure some 974,000 tons at an average price of about 15 cents per pound and so broke the pool, but at what a cost to the American people! Cuba bled us for $669,000,000 for our 1920 purchases of sugar, and altogether our sugar imports in that year cost us the enormous sum of $970,767,339, a sum sufficient to erect and completely equip five hundred and forty 1,000-ton beet-sugar plants with an annual producing capacity of five and one-half million tons of sugar, requiring 48,000,000 tons of beets, which at $6 per ton would yield American farmers $288,000,000 a year. Yet the refiners who own the bulk of the sugar industry of Cuba would have us abandon the home industry and leave the American people to their tender mercies.

ECONOMICALLY ABSURD—STATEMENT OF SENATOR SMOOT.

They say:

"The above developments are the practical answers to the claims that the tariff does not increase the prices, and that the influences of the tariff-favored domestic beet and Louisiana cane-sugar production always brings about a decline in prices. You will recall the graphic set of statistics that Senator SMOOT exhibited in the Senate Chamber during his speech on August 7, 1922, attempting to show that whenever the tariff on sugar was increased the price of sugar declined, and whenever the tariff on sugar was reduced the price of sugar advanced. These statements were furnished him by Truman G. Palmer, secretary and treasurer of the United States Sugar Manufacturers' Association—the beet-sugar lobby at Washington—and were economically absurd. If, as a matter of fact, the price of sugar increased when the tariff was reduced, Senator SMOOT and other high-tariff advocates should have fought for free instead of an increase in the tariff. This is the inevitable logic of such a position."

The refiners again do not state the truth. It is simply another misstatement made in an endeavor to make me appear ridiculous and illogical. The statement made, based on the statistics in question, was that whenever the United States duty was increased on sugar, the New York in-bond price of raw sugar declined, and whenever the duty was lowered, the New York in-bond price of raw sugar advanced. As regards the price of refined sugar, the figures, as printed in my speech in the CONGRESSIONAL RECORD of August 7, 1922 (p. 11012), plainly showed that there was an increose in the New York wholesale price of refined when the duty was inceased, and that when the duty was reduced there was a reduction in the price of refined, but that only a portion of the difference in the rate of duty was reflected in the price of refined.

The whole point of my argument was that the foreign producer absorbed the larger portion of the increase in duty and appropriated the larger portion of the reductions in duty. The figures showed that when the duty was reduced by the Wilson bill, the importers and refiners appropriated 76.3 per cent of the reduction; that when the duty was increased by the Dingley bill the importers and refiners absorbed 58.3 per cent of the increased duty; that when it was reduced by the Cuban reciprocity treaty the importers and refiners appropriated 61.4 per cent of the reduction, and that when it again was reduced by the Underwood bill the refiners and importers appropriated 54 per cent of the reduction.

In other words, on three occasions, when we have lowered the duty, the refiners have stolen 76.3 per cent, 61.4 per cent, and 54 per cent of the benefits which were intended should go to the people, and on the one occasion, when you increased the duty, the refiners and importers paid 58.3 per cent of the increase through lowering the in-bond price of raw sugar and lowering the refiners' margin between raw and refined.

PRICE OF SUGAR DECLINES BECAUSE OF EARLY PRODUCTION IN CUBA.

The next paragraph of the refiner's letter is as follows:

"There was no relief from this advance until December 14, 1922, when duty-paid raw sugar declined to 5.67 cents per pound and New York refined to 7.10 cents per pound, which was entirely due to the influence of the new Cuban cane crop. The campaign in Cuba opened on November 27, in 1922, as compared with December 7, 1921, and twice as many sugar mills were in operation in 1922 as there were in 1921, as a result of which 300,000 tons of raw sugar were produced in Cuba up to the 1st of January, as compared with none in 1921, and 150,000 tons of this new crop reached the local markets and brought about a decline."

According to Willett & Gray, the New York price of 96° raw sugar on October 30, 1922, was 5.53 cents per pound. November 15 it reached 5.78 cents, and on December 14 it dropped back to 5.53 cents, this being the decline which the refiners would have your colleague believe was attributable to the early campaign in Cuba resulting in the production of 300,000 tons, of which 150,000 tons had been shipped and had "reached the local markets and brought about the decline" of December 14. This is still further from the truth than even the refiners usually get, especially where the falsity of their figures is so easily proven. Instead of Cuba having commenced grinding early and having produced 300,000 tons, of which 150,000 tons had "reached the local markets and brought about the decline" of December 14, Cuba on December 16 had made but 59,344 tons, of which only 18,202 tons had reached her shipping ports and only 4,571 tons had been loaded and shipped. Even this infinitesimal amount still was afloat and had not "reached the local markets and brought about the decline" of December 14. Please refer to Willett & Gray of December 21, page 622, where you will find the following table:

Cuban production—1922–23 crop.

		Tons.
All centrals to Dec. 16, 1922, partially estimated (less Cuban consumption to date)		59,344
Stock, 1922–23 crop sugars at shipping ports	13,631	
Total exports, 1922–23 crop sugars	4,571	
Total receipts at shipping ports, 1922–23 crop sugars		18,202
Stock 1922–23 crop sugars on plantations and in transit		41,142

That 4,571 tons of Cuban sugar "afloat" somewhere between New York and a Cuban port would drive the New York market down a quarter of a cent a pound is absurd, indeed, when one considers that our average consumption last year amounted to 15,616 tons a day for every day in the year, and this little dab of sugar would last us for a little less than 5 hours and 30 minutes. Even the entire amount of sugar on Cuba's docks at that time was less than a 24-hour supply for the United States. And if the production of such a small quantity of sugar in Cuba would so greatly affect the New York sugar market, why fail to mention Louisiana production? The New Orleans receipts of new crop Louisiana sugars on December 15 amounted to 65,885 tons, which is nearly five times as much

sugar received at one United States port as had arrived at all the ports of Cuba. Of this Louisiana sugar, 58,419 tons had been sold, or more than twelve times the amount of sugar that had been shipped from Cuba on the same date.

As the refiners adroitly weave in another date, that of December 30, although the decline was on December 14, let us see if Cuba even then had produced 300,000 tons, of which 150,000 tons had "reached the local markets and brought about the decline" of December 14. By referring to Willet & Gray, December 30, Cuba had only produced 190,127 tons, of which only 77,778 tons had reached a shipping port, and that of this only 40,907 tons, or less than a three days' United States supply, had been shipped.

Cuban production, 1922–23 crop.

	Tons.	Tons.
All centrals to Dec. 30, 1922, partly estimated		190,127
Less Cuban consumption to date		
		190,127
Stock 1922–23 sugars at shipping ports	36,871	
Total exports 1922–23 crop sugars	40,907	
Total receipts at shipping ports 1922–23 crop sugars		77,778
Stock 1922–23 crop sugars on plantations in transit to ports		112,349

Comment on the falsity of the refiners' statement and the absurdity of their contention would seem to be unnecessary.

If it were true that such a small amount of Cuban production caused the decline of December 14, how is it that on February 10, 1923, when Cuba had produced 1,035,259 tons of new-crop sugar, the New York in-bond price of sugar, as stated in press dispatches, had reached "the highest level in almost two years"? The refiners knew that the decline of December 14 was in no wise attributable to Cuban production.

PORTO RICO ALSO A CONTRIBUTORY CAUSE TO DECLINE IN THE PRICE OF SUGAR.

The refiners next set forth at considerable length the various downward fluctuations of raws on the New York market, and conclude the paragraph with:

"These further declines were due to the combined influences of the Cuban and Porto Rican receipts of new-crop sugars and the large carry over of domestic beet into 1923."

I already have alluded to the slim production of Cuban sugar prior to January 1. Now they attempt to give Porto Rico a part of the credit for the decline. Inasmuch as the monthly census reports on sugar received by the refineries show that our refiners received only 11,631 tons of Porto Rican sugar during the month of November and only 77 tons in December, Porto Rican sugar was not much of a factor in bringing about a decline. Why give Porto Rico's little 11,700 tons credit for bringing about the decline and withhold credit from Louisiana, which, according to the Census Bureau, during the same months—November and December—supplied the refiners with 92,549 tons of raw sugar? And how, in the same breath that they credit the decline to exaggerated production and sales of Cuban and Porto Rican sugars, can they credit it to "the large carry over of domestic beet into 1923"? I fail to get the logic of their reasoning.

SAN FRANCISCO PRICES ALWAYS 40 TO 50 POINTS ABOVE NEW YORK.

The next paragraph of the refiners' letter is as follows:

"The advances and declines referred to above were relatively the same throughout the country, as all sugars are sold upon the New York price plus the freight charge. The exception is the Pacific coast. The San Francisco prices of sugar are always as much as 40 points, and frequently as much as 50 points, above New York quotations, although all sugar entering the port of San Francisco is duty free and nearly all entering the port of New York is subject to duty. The Pacific coast sugar interests are in a position to exact this premium from consumers of their own refinery at Crockett, Calif., and refine all of their raw product there, and the balance of the Hawaiian raw-sugar production is controlled by John and Adolph Spreckels, who own the Western Sugar Co., located in San Francisco, and besides control one-half of the beet-sugar production of California. Owing to this kind of monopoly and prohibitive freight rates against Cuban cane refineries, they charge their consumers as much more as they feel they will submit to without protest, which averages about one-half cent per pound over the New York prices."

There are several misstatements of fact in the paragraph quoted above. The statement that "San Francisco prices of sugar are always as much as 40 points, and frequently as much as 50 points, above New York quotations, although all sugar entering the port of San Francisco is duty free and nearly all entering the port of New York is subject to duty" is untrue.

As stated above, for six years I gathered and published the weekly sugar quotations for a number of American cities, including New York and San Francisco. The yearly averages for these two cities, as published in Concerning Sugar, are as follows:

Year.	New York cane, granulated, per 100 pounds.	San Francisco cane per 100 pounds.	San Francisco beet per 100 pounds.	San Francisco cane compared with New York cane per 100 pounds.	San Francisco beet compared with New York cane per 100 pounds.
1913	$4.278	$4.645	$4.449	$0.367	$0.171
1914	4.683	4.933	4.737	.250	.054
1915	5.559	5.850	5.635	.291	.076
1916	6.862	7.061	6.865	.199	.003
1917	7.663	7.461	7.314	[1].202	[1].349
1918	7.834	7.777	7.754	[1].057	[1].080
Average	6.146	6.288	6.126	.141	.021

[1] Less than New York price of imported cane refined.

From the figures above it will be seen that only once in six years did the price of cane sugar in San Francisco average as much as 36.7 cents per hundred higher than the New York cane granulated price—and for the six-year period it averaged but 14.1 cents per hundred higher than the New York price. As to the San Francisco price of domestic beet sugar, it will be seen that in no year did it average more than 17.1 cents higher than the New York price of cane, that one year it averaged 34.9 cents under New York, that for three of the six years it was below New York, and that for the six-year period it averaged but 2.1 cents higher than the New York price of granulated, made from Cuban raws. So the statement that "The San Francisco prices of sugar are always as much as 40 points and frequently as much as 50 points above New York quotations" is without foundation in fact and the charge of extortion on the part of John and Adolph Spreckels falls to the ground.

Incidentally the refiners, while accusing the Spreckels with extortion as owners of the Western Sugar Refining Co., failed to mention the fact that an even 50 per cent of the stock of that company is and has been owned for years by the American Sugar Refining Co., the Sugar Trust, which thereby is and has been a full participant in any extortion practiced.

Furthermore, the refiners say the Spreckels "control one-half of the beet-sugar production of California and because of their monopoly they charge their customers as much as they feel they will submit to without protest, which averages about half a cent per pound over the New York prices." I have already shown that for six years they averaged to charge their customers 2.1 cents per hundred less than the New York refiners charged theirs and as for their controlling one half of the domestic beet output of California, they own and operate 2 of the 11 operating beet-sugar factories in that State with one-third the slicing capacity of the State.

BEET-SUGAR PRODUCERS SHARE NO PORTION OF TARIFF BENEFITS WITH BEET GROWERS.

They say:

"During the last two years the tariff protection to the domestic beet-sugar factories has been increased 76 per cent. Have they shared any of this increase with the beet-sugar farmers? A comparison of prices paid by them to farmers for sugar beets in 1919 and 1920, under a tariff rate of 1 cent per pound, with 1921, under a tariff rate of 1.60 cents per pound, and 1922, under a tariff rate of 1.76 cents per pound, will disclose."

And again:

"The beet factories have monopolized all of the tariff subsidy and shared none with the beet farmers. As a matter of fact, according to the statistics of the Department of Agriculture, the United States average price paid beet farmers by beet factories during the whole period of the Underwood-Simmons bill, under a tariff rate of 1 cent per pound, 1914–1920, inclusive, was $8.2857 per ton, and the average price paid in 1921, under a tariff rate of 1.60 cents per pound, was $6.32 per ton, and in 1922, under a tariff rate of 1.76 per pound, was $5.65 per ton, or an average of $2.30 per ton less during the last two years."

A more misleading statement than the above scarcely could be made. In several long paragraphs which follow, the refiners express great concern for American farmers, whom they claim

secure none of the advantages of protection to domestic sugar, all of which advantages they claim are appropriated by and inure solely to the benefit of the beet-sugar manufacturers. To one who knows, in no place in their letter is the cloven hoof of the refiners more apparent than in the argument they make to support this contention.

In an endeavor to substantiate their assertion they set forth the figures covering the price of beets for the four-year period 1919 to 1922. They do not allude to the fact that, due to the war, the price paid for beets in 1919 and 1920 was a hitherto unheard-of price—$11.74 and $11.63, respectively—nearly double the normal price, and for 1922 they take the "preliminary" payments—so stated distinctly by the Department of Agriculture in its mimeograph report—and give these as though they were all the farmers were to get. Then, to make it appear that the farmer does not participate in the benefits of the tariff on sugar, they compare the abnormally high prices the farmers received in consequence of the war, when the duty was lower, with the partial payments the farmers had received on their 1922 crop when the duty was higher, not taking or being able to take into account the additional millions of dollars which the farmers will receive when the 1922 crop of sugar shall have been sold and the factory managements are able to figure the sums which are due them.

To illustrate: The refiners give the average price of beets in 1922 as $5.50 per ton in Idaho and $5.08 in Utah. Referring to the January, 1922, issue of the Reclamation Record, issued by the Department of the Interior (p. 4), we find this paragraph:

"With this bonus growers will have received $6.25 per ton for their beets, with additional bonuses in prospect. Realizing that the bonus to the growers will be more than this amount, the company—Amalgamated Sugar Co.—declared this dividend to all the growers in Idaho and Utah, although a greater part of the sugar made from the beets is still unsold."

We know the 1922 tonnage of these two States was smaller than in 1921, but, as I have not the complete data covering it, will assume for the purpose of illustration that the tonnage was the same in both years. On this basis the refiners would have your colleagues believe that the total amount which has been or will be paid to Utah farmers for their 1,152,000 tons of beets is $5.08 per ton, or $5,852,160, and that all the farmers of Idaho will receive for their 380,000 tons of beets is $5.50 per ton, or $2,090,000, a total of $7,942,160 to the farmers of both States, whereas, as will be seen by the quotations above, they already have been paid $6.25 per ton, or $9,575,000, an excess of $1,632,840, and, as stated by the Reclamation Record, there are "additional bonuses in prospect." If the refiners' figures are as inaccurate for the balance of the States as they are for Utah, they have understated the payments to farmers by more than $9,000,000.

As for the future, the high prices which in the late winter of 1920–21 the factories contracted to pay for beets to be delivered in the fall of that year when sugar had dropped from 7 and 8 cents to 4.7 to 5 cents per pound all but ruined most of the domestic beet-sugar producers, and to prevent a recurrence of such a calamity still more of the new beet contracts are being based directly on the price of sugar, while in other cases the farmers receive a percentage of the factory's receipts from the sale of its sugar. So the beet grower is as vitally interested in the tariff and its effect on the price of sugar as is the manufacturer himself.

As a basis upon which to predicate reliable figures, the actual figures for normal years must be taken, and if this be done we find that the farmers have fared better with beets than with almost any other crop they produce.

The domestic beet-sugar industry was created through the enactment of the Dingley tariff bill in 1897, at which time we had but a half dozen struggling little factories. The Dingley bill levied a duty of 1.68½ cents a pound on 96-degree raw sugar and development of the industry commenced immediately. In 1899 we had 30 factories in operation and the United States Department of Agriculture collected and published figures covering the whole industry, including the average price paid to farmers for beets. Unfortunately the department failed to give these figures for 1920, else I would use an average, say, for a 5-year period. Also for a number of years prior to 1911 the figures are "estimated." The World War influenced prices from 1916 on, for which reason these figures are worthless as a basis of comparison. This leaves the 5-year period 1911–1915 which can be used with safety, and as 1899 was a normal crop year, I will compare it with this 5-year period (see E-3½ "Concerning Sugar").

The average price paid per ton of beets in 1899 was $4.39 and the average yield was 5.87 tons per acre. Thus the farmers' average return was $25.77 per acre of beets grown. In the 5-year period 1911–1915 the average price paid the farmer for beets was $5.63 per ton, an increase of 28.2 per cent in the price of beets, notwithstanding the fact that during the same period the price of sugar made from those beets had declined 15 per cent. But this is not the only increase secured by the farmers. As a direct result of the teaching given the farmers by highly trained and experienced agriculturists which are universally employed at heavy expense by the beet-sugar companies, they averaged to produce 10.50 tons of beets per acre during this 5-year period, an increase in tonnage of 78.8 per cent. Due to the increase in tonnage and the increase in the price per ton, the farmers' returns per acre rose from $25.77 in 1899 to an average of $59.12 during 1911–1915, an increase of 129.4 per cent on his return per acre.

Speaking of the influence of factory agricultural staffs in response to a Senate resolution the late Secretary of Agriculture Wilson told you (see S. Doc. No. 22, 61st Cong., 1st sess.):

"Every sugar factory management in this country must necessarily call to its aid a thoroughly scientific and practical agriculturist, and under him a corps of assistants equipped and conversant not only with cultivating sugar beets but familiar with methods of culture, fertilization, drainage, rotation, and all the necessary knowledge to produce successfully all kinds of crops indigenous to the particular locality. This agriculturist and his assistants are constantly traveling over the sugar-beet-producing district of this particular factory advising farmers particularly in the growth of sugar beets and generally in the production of all other crops. They are as much interested, incidentally, in the handling of the lands producing other crops as they are particularly the one in charge. It is these other lands that will produce sugar beets next year.

"A sugar-factory district is an 'extension course' in agriculture to every farmer in the district, whether he be growing sugar beets or not. It could not be conceived, with such influences constantly in operation, that the sugar industry is not exerting a potent influence most favorable in production of all crops."

As a direct result of this training and the introduction of sugar beets in the rotation, the farmers' average yields of all other crops grown in the rotation have increased as follows: Corn, 29.81 per cent; wheat, 49.87 per cent; oats, 50.49 per cent; barley, 56.88 per cent; and other crops in proportion. Inasmuch as the average farmer grows three to five times the acreage to these other crops that he does to beets, the money he receives from the sale of this excess amounts to more than it costs him to produce the beets.

With improved cultural methods, brought about by the advice given farmers by the factories' corps of skilled agriculturists, has come an improvement in both sugar content and purity of the beets, and this, together with improved factory equipment, has resulted in enabling the factories to extract 58 pounds more sugar to a ton of beets than they did in 1899. It is because of this that the factories have been enabled to pay a higher price per ton.

Compare, if you will, the increase of 129.4 per cent in cash yield per acre on beets with the increase for same period in the cash yield per acre from any other important crop the farmer grows and you will find no such phenomenal increase in the farmers' returns per acre. And this notwithstanding the fact that in such cases as wheat flour and corn meal, where, as with beets, the farmers' products are worked over by an intermediary before they reach the consumer, the consumer is paying higher and higher prices for these other finished products while paying lower and lower prices for sugar. From 1899 to 1913 the price of sugar declined 15 per cent, while the price of wheat flour increased 27 per cent and the price of corn meal 51 per cent.

BEET FACTORIES MISLEAD THE FARMER.

It is surprising how much the refiners would have your colleagues believe they know about the intricacies of the variable beet contracts made in 17 different States when compared with how little they have been shown to know, or rather, to state, concerning their own industry. It also is surprising to note the flood of crocodile tears which they shed over the beet farmers and American consumers in general. They say:

"The beet factories mislead the beet farmers by the form of contract they induced them to accept in 1921 and 1922. In general, it was a minimum of $5 per ton for beets averaging 15 per cent content of sugar, with an increase of $1 per ton for each 1 cent per pound that the factories averaged for the sale of its refined product for these years extending from October to October. The profit of the factory for each 1 cent per pound increase averaged about $2.70 per ton of beets, while they paid the farmer $1 of this amount, and the whole amount

was extorted from the consumers by reason of this increase. The factories, therefore, do not stand to lose and the consumer is the victim, in any event, but as the prices of sugar happened to be quite low in 1921 and the greater part of 1922, the farmers did not benefit by this form of contract and actually raised their crops at a loss."

The refiners have experienced no little difficulty in deceiving your 96 Members, and to credit the beet-sugar producers with ability to deceive some eighty-five to ninety thousand American sugar-beet farmers of more than average intelligence is to credit them with a very superior ability indeed.

That American sugar-beet farmers, in common with domestic and foreign producers of sugar, were disappointed in their decreased returns brought about by the breaking of the 24-cent Cuban pool created by American producers of sugar in Cuba, goes without saying. The rapacity of these Cuban producers all but wrecked everyone in the world who had anything to do with sugar. Their confidence in their ability to bleed us might be likened to the Kaiser's confidence that he could whip the world.

They say:

"The profit of the factory for each 1 cent per pound increase averaged about $2.70 per ton of beets, while they paid the farmer $1 of this amount, and the whole amount was extorted from the consumers by reason of this increase."

The statement is worse than ridiculous. The average United States extraction of sugar from beets in 1921–22 was 275.2 pounds; thus an increase of 1 cent per pound in the price would amount to $2.75 on a ton of beets; and of this amount the refiners say $2.70 was "profit," $1 of which went to the farmers. On this basis it costs our beet factories only 5 cents to transport a ton of beets from farm to factory, unload them, run them through the factory, put the 275 pounds of resultant sugar in sacks, and transport it to destination. If the refiners have any technical man who can accomplish such results, he can name his own salary. To show the utter absurdity and maliciousness of the refiners' statement, the sacks alone cost about ten times that amount.

You can not fool the American farmer or compel him to grow beets if he chooses to devote his fields to other crops. In Cuba, where they harvest from 15 to as high as 50 crops from the same roots without replanting, cane is an agricultural juggernaut which crushes out all other forms of agriculture. You can not compel an American farmer to grow beets for his board and clothes, or retain an American laborer, if you give him only "grub checks," but in Cuba, where clothes are not needed, as anyone knows who has seen innumerable stark-naked children playing in the streets of the island, when the crash came and a moratorium for the island was proclaimed, press dispatches stated that mill owners announced that cash payments had ceased for the present and they would pay only in "store checks," thus saving themselves from bankruptcy and bringing about a speedy recovery, at the expense of the Cuban farmer and laborer.

HAWAIIAN SUGAR COMPANIES "CAPITALIZING THE TARIFF."

In an effort to discredit the sugar schedule of the Fordney-McCumber tariff bill the refiners give a list of Hawaiian sugar companies and set forth with each the regular, special, or stock dividends which they allege have been paid since September 22, the date of the enactment of the new tariff bill.

They say: "The following special and increased dividends have been paid by various sugar companies in Hawaii since the passage of the tariff bill."

And after presenting their list they add: "Thus, through special dividends and the ingenious method of stock dividends, they are capitalizing the tariff."

Again the refiners would mislead my colleagues regarding those usually prosperous companies, nearly all of which made heavy losses in 1921. During the latter part of 1922 sugar prices were good, and, it appearing that prices were going to remain firm, several of these companies declared small dividends, paying them, not from current earnings, but from their surpluses and working capital; this is what the refiners designate as "capitalizing the tariff."

The annual reports of these Hawaiian sugar companies for 1921, as submitted to the Honolulu Stock and Bank Exchange, show how misleading are the refiners.

The refiners name the Ewa Plantation Co. as having paid several cash dividends during the last three months of 1922. Their annual report shows that they lost no less than $1,977,938 on their 1921 campaign. Unlike the subsidiary Cuban corporations, which the refiners own and which pay no taxes into our Treasury, when these Hawaiian companies make money they pay over a portion of it in income and excess-profits taxes. As indicating the decreased prosperity of this company, their December 31, 1920, annual report carried under assets, "reserve for taxes, $2,500,000," and in their December, 1921, report their "reserve for taxes" was only $500,000. Yet these people are represented as "capitalizing the tariff."

Another Hawaiian sugar company which is set forth by the refiners as "capitalizing the tariff" is the Maui Agricultural Co., which is listed by the refiners as having resumed dividends. I am advised by credible authority that this company has done nothing of the sort, but whether they have or not their annual statement shows their losses in 1921 amounted to $711,339.

I will not take up more time in analyzing these various companies which the refiners would have your colleagues believe are "capitalizing the tariff," but will set forth the list with 1921 losses, as shown by the annual reports to the Honolulu Stock and Bond Exchange:

Companies:	Losses in 1921.
Ewa Plantation Co	$1,977,938
Hawaiian Agricultural Co	179,181
Hawaiian Sugar Co	37,305
Honokaa Sugar Co	228,482
Honomu Sugar Co	17,150
Hutchinson Sugar Plantation Co	68,776
Kahuku Plantation Co	326,864
Koloa Sugar Co	84,279
Maui Agricultural Co	711,339
McBryde Sugar Co. (Ltd.)	296,565
Oahu Sugar Co. (Ltd.)	67,923
Olaa Sugar Co. (Ltd.)	378,145
Onomea Sugar Co	[1] 67,104
Paauhua Sugar Plantation Co	144,625
Pacific Sugar Mill	168,778
Pepeekeo Sugar Co	[1] 5,923
Pioneer Mill Co. (Ltd.)	198,991
Waialua Agricultural Co. (Ltd.)	1,873,407
Wailuku Sugar Co	25,432
Losses	8,942,299

Thus the scales fall from another of the refiners' many attempts to mislead your colleagues.

UNITED STATES BEET SUGAR COMPANIES CAPITALIZING THE TARIFF.

Apparently the refiners found but one newspaper notice regarding beet sugar companies which they could use in their effort to show that this industry was "capitalizing the tariff" and in their letter to your colleague, they reproduce it in full as follows:

[From Facts About Sugar, issue of December 30, 1922, page 542.]

WEST BAY CITY DIVIDENDS (BEET SUGAR).

"BAY CITY, MICH., December 25.—A stock dividend of 400 per cent has been declared by the West Bay City Sugar Co., increasing the authorized capitalization from $200,000 to $1,000,000.

"This is the first additional stock issue made since the company was organized 25 years ago, at which time a bond issue was put out to meet the cost of plant construction in excess of the $200,000 provided for. Since that time the bonds have been retired and several hundred thousand dollars have been spent in improvement, all coming out of earnings, while some large dividends have also been paid. The new stock issue is being made to transfer assets representing plant investment, and carried as surplus, to the stock account.

"The stock of the company is practically all held by the president, M. J. Bialy, and members of his family, the heirs of the late Charles J. Smith, and the heirs of the late John M. Kelton, all three of whom are among the original incorporators.

"This is another example of capitalizing the tariff."

Capitalizing the tariff indeed. Mr. M. J. Bialy, president of the West Bay City Sugar Co., has this to say about the matter:

"I have your letter of January 30, covering copy of letter from the Cuban interests, which I have noted with a great deal of interest particularly with its reference to the West Bay City Sugar Co. and as to the matter of the increase of capital stock referred to from newspaper publication, which is purely a matter of the reporter's imagination and short-sightedness as to actual conditions.

"This company was organized in 1899 with a capital stock of $200,000. Subsequent to the organization, we covered the plant by mortgage for $200,000 and in addition to this for further necessary capital the individual stockholders provided funds to carry on the affairs of the company, which we did and carried it along until 1910 before a dividend was paid, reserving all earnings for the purpose of creating surplus for business purposes."

So it seems that after putting up $200,000 for stock and $200,000 for bonds and additional amounts, say perhaps another $100,000 for carrying on the company's operations, the stock-

[1] Profit, $73,027.

holders of this company received no dividends whatever for 11 years. Mr. Bialy says:

"During the year 1921 our returns to the customs department of the Government showed a loss of $239,000, and the present season, 1922, has been at a very small, if any, profit."

And now, after having received no returns for years on their half mollion-dollar investment and recently having met with tremendous losses, the stockholders of this company must be content with a stock dividend in lieu of cash; and the refiners, in their endeavor to prejudice your colleague against the domestic industry, quote the newspaper notice and proclaim that "this is another example of capitalizing the tariff."

In your speech of August 7 I gave the figures of four American beet-sugar companies which in 1921 lost over $13,500,000, and showed how they all were practically bankrupt and had to borrow $10,000,000 from the War Finance Corporation in order to tide them over. The four companies you named as having lost $13,500,000 were among the very largest and lowest-cost producing companies in the United States, and of course the losses of the smaller but higher-cost producing companies were much greater in proportion; yet the refiners would have your colleagues believe that the industry is a highly prosperous one and is "capitalizing the tariff."

REDUCE THE TARIFF TO ABOLISH CHILD LABOR IN THE BEET FIELDS.

In its efforts to prejudice your colleagues against a tariff rate which will preserve the domestic beet-sugar industry, the refiners quote an article from the American Child, published in New York, in which a fling is taken at child labor in the beet fields. They say:

[From the American Child, published by the National Child Labor Committee, 105 East Twenty-second Street, New York, issue of December, 1922.]

NOTES FROM OUR INVESTIGATIONS.

"In Utah we found that some rural schools were closed on account of beet-field needs. Think of it! In some rich beet-field districts through which the Denver & Rio Grande passed, that was the situation.

"Child labor conditions in Finney County (Kans.) beet-sugar districts are more deplorable than those in any other section of the State, according to Miss Alice K. McFarland, head of the welfare division of the industrial court.

"It is a common thing to see little tots with long sharp knives cutting tops from beets. In many cases they work from 6 o'clock in the morning until nearly dark with only a short stop for lunch." Topeka (Kans.) Capitol, October 26, 1922.

"Yet Senator SMOOT testified before the Senate Finance Committee that the opportunities offered by the beet-sugar industry of Utah to the child for work in the beet fields was a perfect godsend."

All rational human beings love children, but there is an honest difference of opinion regarding their bringing up. Some believe it is better for them to work in the open fields of the country, while others believe it better for them to idle away their vacation time in our crowded streets and alleys.

A year or so ago I had occasion to look into a lurid report made concerning child labor in Colorado, and I quote from a report which I received made under date of November 1, 1921:

"I do not know how serious these 'postural deformities and malpositions' may be. I do know that the beet workers' children in northern Colorado are about the healthiest specimens extant.

"Miss Mary Pritchard, Red Cross nurse for Weld County, Colo., gave figures which refuted the statements in the children's bureau survey. She declared that the Government investigators had their headquarters in her office, and that she was very familiar with their work in all its phases.

"Miss Pritchard states that she has examined over 12,000 children in Weld County, and has made comparative studies between beet workers and nonbeet workers, and that her positive knowledge of the situation does not justify in any way the conclusions arrived at in the survey made by the children's bureau agents.

"Miss Pritchard called attention to the failure of the Government agents to make comparative tests between beet workers and nonbeet workers. She declared that the Government agents have no basis for claiming that beet work per se is injurious to the children's health. The Government agents obtained no facts on the effect of malnutrition, heredity, condition of eyes, condition of teeth, and other factors that not only retard the health of the children but also retard their work in schools."

A small proportion of the work in beet fields is performed by children, but it is important not from the viewpoint of the sugar industry but from the viewpoint of the fathers and mothers of these children, especially the country children. Many of the best and most prosperous citizens of our western sugar-beet territory came there as poor immigrants, but with large families. They first rented small tracts of land, and largely because of the aid given by their children in thinning beets they accumulated money, then purchased small farms, and finally the largest and best farms in their respective communities, and later purchased other near-by farms for their grown children. Abolish the earning power of their children and their prosperity and consequent ability to educate those selfsame children would be lessened. People who live among them generally contend that it is to the advantage of the children, of their parents, and to the community at large that the children do this seasonal work, while theorists in our large eastern centers of population who concern themselves with the uplift of children are somewhat divided on the subject.

Their labor is not necessary to the well-being of the sugar industry, and it is not the sugar industry but their parents who are responsible for their working. I presume that if it ever should become apparent to the majority of the people of any of our States that working in the beet fields causes "postural deformities, malpositions," and other ailments which hysterical theorists rave over the voters will direct their State legislatures what to do in the premises. As yet the near-by and most interested observers do not seem to have imbibed any of the metropolitan hysteria on the subject.

UNITED STATES SUGAR ASSOCIATION BRIEF FOR THE AMERICAN SUGAR REFINING CO.

It, indeed, is too bad that some careless Baltimore newspaper reporter got his wires crossed and mixed up the American Sugar Refining Co. with a report regarding a 900 per cent stock dividend declared by an oil company. It is very thoughtful of the United States Sugar Association to place your colleague "in a position to correct it."

They say:

"The Indianapolis News stated that the Pennsylvania Sugar Refining Co. had paid a stock dividend of 900 per cent, and a Baltimore paper referred to the American Sugar Refining Co. as having paid a stock divdend of 900 per cent. Both of these statements are erroneous. It was the Atlantic Refining Co., of Philadelphia, the largest producer of lubricating oils since 1874, a subsidiary of the Standard Oil Co., that declared a 900 per cent stock dividend in October, and these papers, observing the word 'refining,' jumped to the conclusion that the concern refined sugar instead of oil. There is no sugar refinery in the United States called the Atlantic Refining Co. The Pennsylvania Sugar Co., of Philadelphia, has declared no stock dividend and pays dividends at the rate of 8 per cent per annum, and the American Sugar Refining Co. has not only declared no stock dividend but has suspended dividends on its $45,000,000 worth of common stock for the past three years on account of the enormous losses sustained in 1920 and 1921. As the above impression may prevail among many Members of the Senate and House, I wish to place you in a position to correct it."

Apparently the United States Sugar Association carries a brief for the American Sugar Refining Co.—the Sugar Trust—which ought to be and probably is their heaviest financial supporter. This is only natural, as the Sugar Trust has three reasons for desiring a lower import duty on sugar while most of the refiners have only two. In considering these reasons it must be borne in mind that all domestic beet sugar is produced in its finished state ready for the table, and thus it pays no tribute to the seaboard refiners, whereas all imports from Cuba consist of raw sugar, and every ton of it yields tribute to one or the other of the seaboard refineries.

In the first place the Sugar Trust and other seaboard refiners do not wish to see the domestic beet-sugar industry expanded, because each additional ton of sugar produced at home means one less ton to be imported and pay tribute to a seaboard refinery for laundering. In this connection it should be borne in mind that a sugar refinery produces nothing—it is just a great laundry which cleanses a raw product produced by foreign labor in foreign lands, and as sugar comes wholly from the atmosphere, it is simply the rain, the wind, and the sunshine which sweep over foreign fields. From the sworn testimony of one of the leading New York refiners some years ago it was learned that for refining—laundering—a ton of raw sugar in America there accrued to American industry in labor, office help, bone black, and all other supplies just $6.72, whereas with beets then at $4.50 per ton, in producing a ton of sugar from American-grown beets, there accrued to American industry $82.13. The difference now is still greater, but even at this rate, on our last year's consumption of 5,700,000 tons of sugar, this difference to American industry as between refining imported sugar and producing our sugar from American fields, farmed by Americans and sliced in American factories operated by American labor, is the difference between $38,304,000 and $468,141,000.

In times of depression, when our farmers are getting a low price for their products and laboring men, mechanics, and technical men are seeking work, the expenditure of this extra $430,000,000 a year at home instead of sending it to foreign countries would help to keep the wolf away from the doors of a goodly number of people.

In the second place, the Sugar Trust has purchased a vast acreage of cane land in Cuba, where it has erected several of the largest raw-sugar mills in the world in order to supply its refineries with raw sugar at first cost. Its Cuban investments in great areas of both undeveloped and developed cane land and in mills is reputed to amount to $50,000,000.

In the third place, at a time when the elder Havemeyer thought he might be unable to carry through the Cuban reciprocity treaty and feared that the then rapidly developing domestic beet-sugar industry might expand so as to produce our sugar at home and thus put his refineries out of commission, he sent his emissaries into the beet districts, where they purchased a third interest for him and a third interest for the Sugar Trust in a number of our largest beet-sugar companies, with the purpose of controlling the sugar business of the United States whichever way the congressional cat might jump. With three exceptions these interests were disposed of after he secured the adoption of the Cuban reciprocity treaty; the outstanding exception is a beet-sugar company which operates a string of beet-sugar factories in northern Colorado and western Nebraska, where it produces sugar at less cost than it is produced for elsewhere in the United States.

It naturally might be supposed that if the officials of this company in which the trust owns a third and Mr. Havemeyer, jr., owns another third would, if free to act for the company's welfare, work in favor of an increased duty on sugar. But both the trust and Mr. Havemeyer, jr., are heavily interested in Cuba, and when it came to consideration of tariff rates last year officers of this company were among the most active workers lined up with the refiners not only in opposition to any increase but in favor of a decrease in the rate of duty. One explanation vouchsafed was the dog-in-the-manger position that if the tariff on sugar was increased it might result in new factories being erected in "their territory" by new capital and by competitive bidding raise the farmers' price of beets.

As to the United States Sugar Association's solicitude in not wanting it to appear that the Sugar Trust recently had paid a stock dividend, it might be stated that the late Henry O. Havemeyer took the bull by the horns at the outset and not only anticipated the Atlantic Refining Co. by several years but in amount. He formed the Sugar Trust by absorbing some 18 independent practically bankrupt refining companies whose total combined capital stock amounted to $6,690,000 par value and immediately issued $50,000,000 of new trust stock, or about 750 per cent increase at the outset. Later they increased it to $75,000,000 and then to $90,000,000, the present capitalization, although they have erected but two new refineries since the trust was formed.

During the first 10 years of the trusts' existence the owners of $6,690,000 worth of stock in 18 practically bankrupt refineries received no less than $68,281,250 in cash dividends, or at the rate of more than 100 per cent a year on their theretofore worthless stock which they turned into the trust. And although they since have watered it up to $90,000,000, except for one short interval they have annually paid $6,300,000 or more in dividends, or approximately 100 per cent a year on the original investment.

In the light of the above it scarcely seems worth while for the United States Sugar Association to shed tears over the deplorable fact that some careless newspaper reporter inadvertently got the Sugar Trust mixed up with his story about the Atlantic Refining Co.'s 900 per cent stock dividend payment. Having had this worrisome experience, it seems strange that the refiners in selecting a name under which to conceal their identity in carrying on their Cuban propaganda work should have adopted the name of a duly incorporated organization which for years has been openly working for the directly opposite result.

There is no better informed body of men concerning the universal financial chaos which existed in the sugar industry during the period of 1920 and 1921 than those engaged in the refining business, and yet in their letter they endeavor to make your colleagues believe that the domestic beet and Hawaiian sugar industries are most prosperous and are "capitalizing the tariff." The unfairness of their position is shown when they rush to the defense of the refiners with the following:

"The Pennsylvania Sugar Co., of Philadelphia, has declared no stock dividend and pays dividends at the rate of 8 per cent per annum, and the American Sugar Refining Co. has not only declared no stock dividend but has suspended dividends on its $45,000,000 worth of common stock for the past three years on account of the enormous losses sustained in 1920 and 1921."

Regarding the mix-up on the declaration of stock dividends, which some reporter erroneously attributed to the Sugar Trust when it should have been credited to an oil-refining company, the refiners hand the following naïve suggestion to my colleague:

"As the above impression may prevail among many Members of the Senate and House, wish to place you in a position to correct it."

As though they thought your colleague would dirty his hands by rushing to their rescue and explaining how this snow-white dove, which has pyramided $90,000,000 of capitalization on an original investment of $6,690,000, was being misrepresented. Their presumption is almost pathetic.

PER CAPITA COST OF THE TARIFF ON SUGAR.

Then comes the bewhiskered appeal to cupidity which the refiners wore threadbare in one of their publicity campaigns several years ago when they represented themselves as a "Committee of Wholesale Grocers," though, as afterwards disclosed, no wholesale grocer had anything to do with it.

They say:

"You will observe that our annual consumption now has reached 103.18 pounds per capita, and that the tariff on sugar, therefore, costs every man, woman, and child in the United States $1.82 per annum."

Again I suggest the headline "Important, if true." These figures are arrived at by a very simple calculation. If our per capita consumption is 103.18 pounds and the duty is 1.764 cents per pound, just multiply 103.18 by 1.764, and there you have it in a jiffy, $1.82. But this calculation fails to take several important matters into consideration. You showed in your speech (CONGRESSIONAL RECORD, p. 11058, Aug. 8, 1922) that when the sugar duty was increased the foreign producers of sugar and the American refiners absorbed 53.3 per cent of the increase in the lowered-in-bond price of raw sugar and the lessening of the refiners margin between raw and refined. Deducting 53.3 per cent from $1.82, we have left 85 cents per capita, which represents the maximum amount the duty of $1.764 per hundred costs the consumer who purchases 103.18 pounds of sugar. But the consumer does not purchase 103.18 pounds of sugar, as sugar. Much of our sugar goes into manufactured products, such as condensed milk, confectionery, jams, jellies, preserves, canned goods, chewing gum, and so forth, the prices of which are not governed or even affected by the price of their sugar content. Surely no one would contend that a pound box of candy which sells at 75 cents would sell for 74 cents if sugar were 1 cent cheaper, or at 76 cents if it were 1 cent higher, and so with dozens of other commodities which it is generally estimated absorb 55 to 65 per cent of all the sugar we consume.

The United States Department of Labor gathered the data from 11,900 families consisting of 58,310 persons, concerning the amount of foodstuffs they purchased and consumed during the last half of 1918 and the first half of 1919 (see Department Labor Review for May, 1922), during which time our total consumption of sugar in both manufactures and family purchases amounted to 79.39 pounds per annum per capita. The department found that these 58,310 people consumed an average of 146 pounds of sugar per family, or 29.79 pounds per person. Based on these figures, 62½ per cent of our total sugar consumption of 79.39 pounds per capita in 1918–19 went into other products, the prices of which were not affected by the price of their sugar content, and 37½ per cent of it was purchased by housewives as sugar. And so, after first cutting the refiners' alleged extra cost per capita by reason of the tariff from $1.82 to 85 cents by reason of a 53.3 per cent absorption of the duty by importers and refiners, we have to eliminate 62½ per cent of the 85 cents because of the sugar that went into manufactured products, and thus find that the total duty on sugar amounted to only 30 cents per capita.

We are all taxpayers and in our income and other Government taxes must provide such amount for the operation of the Government as is not collected from import duties. From January 1 to September 22, 1922, when the new tariff bill went into effect, we had collected $92,911,404 revenue on imports of sugar, and if the same ratio be maintained for the balance of the year the revenues from sugar imports in 1922 will amount to $117,926,000, or $1.07 per capita for a population of 110,000,000, thus saving each person in taxation more than three times the extra amount his sugar cost him by reason of the duty.

THE REFINERS' PLEA TO INDUCE A UNITED STATES SENATOR TO SPREAD THEIR MISSTATEMENTS.

The sinuous trail of insincerity and equivocation winds its slimy way through every sentence of the refiners' letter, and after splotching each page it closes as follows:

"Trusting the above will be found of value to you as an explanation of some of the effects of the present high tariff on sugar, and that you may find occasion to make use of it whenever the opportunity is presented, I beg to remain."

I have quoted almost every paragraph of this remarkable effusion, and if your colleagues can find in it any honest attempt at an explanation of the effects of "the present high tariff on sugar," their perception is superior to mine. So far as I am able to perceive, the only effect of it which is disclosed by their letter has been to cause them to sit about a round table and prepare as many misstatements as could be crowded onto seven pages of closely typewritten matter.

MEMBERSHIP OF THE UNITED STATES SUGAR ASSOCIATION.

First, a word in order to identify the United States Sugar Association, and thereby discover its motive in laying before my colleagues such a lengthy and unreliable epistle. The United States Sugar Association is composed of American sugar refiners and producers of raw sugar in Cuba, which island largely supplies their refineries with raw material.

This letter is a continuation of the same old Cuban propaganda put out anonymously 20 years ago by the Sugar Trust in its nation-wide propaganda to secure a reduction of duty on Cuban sugar by reciprocity treaty; later by the mythical so-called "Committee of Wholesale Grocers" (to which, as later was admitted under oath, no grocer ever contributed a cent), the "American Committee on Cuban Emergency," "American Producers of Sugar in Cuba," etc. There have been numerous changes in name but not in purpose, personnel, or in the utter disregard of truth displayed in their statements.

Masquerading under various names, these refining exploiters of Cuba have shown great ingenuity in their efforts to fool Congress and to fool the American people. Wherever it has suited their purpose the truth has been carefully avoided and their statements have been full of maliciousness. Scarcely a fair or honest sentence have they put forth in 20 years, and where they have not stated a positive untruth they have endeavored to accomplish their purpose by indirection and innuendo. This seven-page letter is no exception to their invariable rule; on the contrary, it is one of their numerous masterpieces.

THE UNITED STATES SUGAR ASSOCIATION.

Knowing the personnel of the United States Sugar Association and the object of their propaganda we are in better position to weigh the methods the refiners have adopted to secure their end.

The seven-page typewritten letter bears the printed heading "United States Sugar Association," yet every line of it reveals antagonism to sugar produced in the United States. The very name these seaboard refiners now masquerade under could have been chosen for but one purpose. In an endeavor to tear down an important domestic industry they have stolen the name of a widely known and duly incorporated organization which for many years has been actively engaged in trying to build up and expand that selfsame industry. There is but a slight difference between "United States Sugar Manufacturers Association" and "United States Sugar Association."

Were the headquarters of both organizations located in the same city there certainly would be confusion in the delivery of mail and telegrams, and, except to mislead, why does a body of men working against the interests of the United States endeavor to make it appear that they are a patriotic organization working in the interest of the United States? And why, even then, do they appropriate the name of a well-known domestic organization, working in the interest of American industry? Why call themselves the "United States" Sugar Association—why not "American," or "Federal," or "Domestic," or "National"; or if not endeavoring to deceive, why not "Cuban Sugar Association," or "United States Sugar Refiners Association," and be as open and aboveboard as is the "United States Sugar Manufacturers Association"? I leave you to surmise.

THE ELUSIVE REFINERS.

The letter is signed by one M. Doran as "assistant secretary" of the United States Sugar Association. Why the unknown "M. Doran"? Why not Mr. Henry A. Rubino, who appeared before your committee, is known to many Members of the Senate, and is the active head of the United States Sugar Association? Or why not some of the refining heads who so frequently are here to present their pleas and are personally known by you and by many of your colleagues? Apparently the seaboard refiners who with their associates own the bulk of the Cuban sugar industry and who created and support the United States Sugar Association realize full well the untruthfulness and unfairness of the contents of the letter, but after preparing it did not have the courage to attach their signatures to it, hence put it out over the signature of some one we never heard of before. Why camouflage their identity under a misleading name and then attach a signature which is about as illuminating as though they had signed it "John Doe"?

THE REFINERS AND THEIR CUBAN HOLDINGS.

These sugar refiners who now pose as the United States Sugar Association are rated as among the brightest and most astute to be found in any industry in our great metropolitan seaboard cities where their business lives have been devoted to the refining of imported sugar. They accumulated great fortunes in the refining business, and 20 years ago sought and secured legislation giving Cuba a preferential rate of duty, after which they began investing heavily in Cuban lands, on which they erected great numbers of the most efficient raw sugar mills in the world, and they produce the bulk of the Cuban crop of four and a half million tons.

According to their own statements, their vast Cuban holdings alone are valued at no less than $1,000,000,000. That these men understand the sugar business from A to Z and do not hand out such a mass of misinformation through inadvertence or ignorance goes without saying. Barring an occasional error, which is liable to creep into the statements of even the best informed, any one of them is perfectly capable of presenting almost offhand the true conditions which prevail in the sugar industry. And so, when a body of such experienced, well-informed sugar men prepare and send to United States Senators a seven-page closely type-written letter regarding sugar conditions, and practically every sentence and phrase of that letter is found to contain either an implied or actual misstatement of fact, there is only one conclusion which can be drawn.

SUGAR-PRODUCING POSSIBILITIES OF CUBA AND THE UNITED STATES.

The refiners rightly contend that Cuba is the cheapest sugar-producing country in the world, and if we so lower the duty as to render our domestic producers unable to pay such price for beets as will induce farmers to grow them Cuba will supply us with all the sugar we consume. We know this is true, for according to their testimony the refiners alone with their affiliated companies own sufficient cane land in Cuba to produce 8,188,000 tons of sugar a year, and, together with independent companies, American holdings in Cuba are sufficient to produce a crop of 10,970,000 tons annually. That Cuba could and would produce the sugar of the world if she could find markets for it is well known to all who have visited the island.

On the other hand, the late Secretary of Agriculture, Wilson, told us in Senate Document No. 22, Sixty-first Congress, first session, that the United States has sufficient beet-sugar area on which to produce the sugar of the world. Hence the conflict for possession of the greatest sugar market in the world, and the size of the United States import duty on sugar is the one determining factor that will decide the struggle.

PRODUCTS OF CUBA.

Cuba produces the best tobacco in the world, excellent coffee, cocoa, unexcelled tropical fruits, and many other articles which we import in enormous quantities from other countries, but the production of these articles does not readily lend itself to control by vast blocks of capital. They usually are produced by individuals rather than by corporations. With the exploitation of the Cuban sugar industry by American capital the production of all other crops has been relegated to the background, while the production of sugar has jumped from less than 350,000 tons at the close of the Spanish-American War to 2,500,000 tons the year before the World War and 4,400,000 tons in 1920–21, practically all of which must be exported and find a market in foreign countries.

MARKETS.

The object of all Cuban sugar propaganda is markets. Markets not only for their present production but for an increased production. One by one the great countries of the world have slipped off the shackles of the Tropics and have become independent of them for their sugar supply through producing it at home, Japan being the last to enter the list. Only Great Britain and the United States continue to purchase large quantities of tropical sugar, and the British market seems destined to be closed to the Tropics. The inability of Great Britain to secure from overseas her customary million and a half tons of sugar a year during the World War has convinced her free-trade statesmen of the desirability of the prime im-

portance of a nation producing its sugar at home. As a consequence, Britain has decided to build up a great national sugar industry and is giving her two beet-sugar factories already in operation a tariff protection of 5½ cents per pound, the highest rate of sugar protection in the world. If Britain succeeds in her efforts, the United States will be the only great market in the world for export tropical sugar.

Last year we consumed 5,700,000 tons of sugar, or 28 per cent of all the sugar produced in the world. Of this amount 2,424,600 tons was produced at home and in our insular possessions, and 3,237,449 tons came from Cuba at a 20 per cent tariff preferential. The balance of the Cuban crop was compelled to find a market elsewhere and compete with other tropical sugar without any tariff favors.

Producers of sugar in Cuba see the possibility of a vanishing British market, due to home production. They see that should the United States beet-sugar industry grow and be able to supply United States consumption, Cuba must turn from sugar to the production of crops which do not lend themselves to corporate capital. Hence they first wish to see the United States duty on sugar so reduced as to prevent any further expansion of the domestic sugar industry, and if possible they want to see the duty so lowered as to ruin the domestic industry and thus open up to them an additional tariff-favored market for an extra two and one-half million tons of sugar. To gain such a vast market in which they could control prices at will, they will go to any length. The prices they would exact can be judged from our experience of a year and a half ago, when we were virtually out of sugar and producers in Cuba, with between 600,000 and 700,000 tons of raw sugar piled in their warehouses, formed a pool and pegged the price of raw sugar at 24 cents per pound, or twice the price at which refined sugar then was selling for in the United States. In consequence of the high prices, our foreign sugar bills in 1920 amounted to the enormous sum of $970,000,000.

If the United States tariff on sugar could be so reduced as to destroy our domestic sugar industry, the financial benefits which would accrue to the seaboard refiners and other Americans, whose Cuban investments already amount to over $1,000,000,000, would rival anything of the kind the world has ever seen. So much for the motive and the stakes for which the refiners have been playing for 20 years.

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

Mr. SMOOT. I yield.

Mr. BROOKHART. I would like to ask the Senator if there is any advantage whatever to the producers of sugar, either in the United States or Cuba, by virtue of this big rise in price?

Mr. SMOOT. I will say to the Senator that the refiners control the great bulk of sugar and they are trying to have a smoke screen made so they can blind the American people by saying that it is the tariff that is responsible for the increase. When they were selling that sugar at $4.75 a hundred the tariff was $1.60 a hundred, and under the McCumber law the tariff rate was increased 16 cents a hundred.

Mr. BROOKHART. Does the Senator have definite information as to what is the real cause of the big advance?

Mr. SMOOT. I have not the time now, but I could go back into the history of the sales of sugar by these selfsame refiners and relate the history of it to the Senate, and Senators would then know what the cause is. They want to make all the money out of the Cuban sugar which they produce that it is possible for them to do. We know that there is enough sugar produced in the world to feed the world for the coming year.

Mr. BROOKHART. Are the producers a part of the combination that is raising the price? Are the producers in any way the cause of the price being raised at this time?

Mr. SMOOT. The Cuban producers are, but there are also the refiners.

Mr. BROOKHART. Who are the Cuban producers?

Mr. SMOOT. The refiners, principally, in New York and Pennsylvania.

Mr. President, perhaps at this point it would be well for me to give the names of the members of the United States Sugar Association, who they are, and let us see why this propaganda is being spread broadcast all over the United States. I have the list of the members of the United States Sugar Association. The following are a few, but I will insert the names of all of them:

E. Atkins & Co., by Frank C. Lowry, 111 Wall Street, New York. Who are they? The Pennsylvania Sugar Refining Co.

The Atlantic Fruit Co., by Allen H. Richardson, vice president, 17 Battery Place, New York, of the National Sugar Refining Co.

Bernebe Sanchez Adan, of Cuba. Then follow a lot of Cuban names, all in nearly every case connected with refiners of sugar.

Caracas Sugar Co., Wall Street, of the Pennsylvania Refining Co.

Cuban-American Sugar Co., by Mr. Willis, the vice president, 129 Front Street, of the National Sugar Refining Co.

I ask permission to put in the RECORD the list of names.

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

LIST OF MEMBERS OF THE UNITED STATES SUGAR ASSOCIATION.

E. Atkins & Co., 111 Wall Street, New York, by Frank C. Lowry, Pennsylvania Refining Co.

Atlantic Fruit Co., 17 Battery Place, New York, by Allen H. Richardson, vice president, National Sugar Refining Co.

Bernebe Sanchez Adan, Central Senado, Camaguey Province, Cuba.

Caracas Sugar Co., 111 Wall Street, New York, Pennsylvania Sugar Refining Co.

Central Cuba Sugar Co., 42 Broadway, New York, by J. M. Tarafa, president.

Compania Azucarera Andres Gomez Mena, 79 Wall Street, New York, by G. E. Warner, Warner Sugar Refining Co.

Campania Azucarera Elia, 112 Wall Street, New York, by Jose B. Rionda, vice president.

Compania Azucarera San Vincente, 112 Wall Street, New York, by Horatio B. Young, assistant secretary.

The Coca Cola Co., Atlanta, Ga., by Charles H. Candler, president.

Cuban-American Sugar Co., 129 Front Street, New York, by H. W. Wilmot, vice president, National Sugar Refining Co.

Cuba Cane Sugar Corporation, 123 Front Street, New York, by B. A. Lyman, treasurer, McCahan Sugar Refining & Molasses Co.

The Cuban Dominican Sugar Co., 129 Front Street, New York, by Thomas A. Howell, president.

Czarnikow-Rionda Co., 112 Wall Street, New York, by E. H. Costello, vice president, McCahan Sugar Refining & Molasses Co.

G. H. Finlay Co., 24–26 Old Slip, New York.

The Francisco Sugar Co., 112 Wall Street, New York, by M. E. Rionda, vice president, McCahan Sugar Refining & Molasses Co.

Fox Bros. & Co., 126 Lafayette Street, New York.

Guantanamo Sugar Co., 129 Front Street, New York, by Geo. H. Bunker, treasurer, National Sugar Refining Co.

Hershey Chocolate Co., Hershey, Pa., by Wm. F. R. Murrie, president.

Hormiquero Central Corporation, 63 Wall Street, New York, by C. H. Blackburn, vice president and treasurer.

B. H. Howell Son & Co., 129 Front Street, New York, National Sugar Refining Co.

Ingenio Porvenir Corporation, 129 Front Street, New York, by H. J. Fullum, treasurer, National Sugar Refining Co.

The W. J. McCahan Sugar Refining & Molasses Co., 112 Wall Street, New York, by M. E. Rionda, president.

Miranda Sugar Co., 79 Wall street, New York, by Henry A. Rubino, vice president, Warner Sugar Refining Co.

Manatí Sugar Co., 112 Wall Street, New York, by M. E. Rionda, vice president, McCahan Sugar Refining & Molasses Co.

The National Sugar Refining Co. of New Jersey, 129 Front Street, New York, by James H. Post, president.

New Niquero Sugar Co., 129 Front Street, New York, by W. B. Vanderkieft, secretary and treasurer.

H. H. Pike & Co. (Inc.), 108 Water Street, New York, by H. H. Pike, president, National Sugar Refining Co.

Punta Allegre Sugar Co., 111 Wall Street, New York, by R. W. Atkins, president, Pennsylvania Sugar Refining Co.

Soledad Sugar Co., 111 Wall Street, New York, Pennsylvania Sugar Refining Co.

Sugar Estates of Oriente, 129 Front Street, New York, by Thomas A. Howell, president, National Sugar Refining Co.

Tacajo Sugar Corporation, 112 Wall Street, New York, by G. E. Ogilvie, assistant treasurer, McCahan Sugar Refining & Molasses Co.

The Tuinucu Sugar Co., 112 Wall Street, New York, by L. J. Rionda, vice president, McCahan Sugar Refining & Molasses Co.

Warner Sugar Refining Co., 79 Wall Street, New York, by R. M. Bell, secretary and treasurer.

West India Sugar Finance Corporation, 129 Front Street, New York, by Thomas A. Howell, president, National Sugar Refining Co.

Fulton Iron Works, St. Louis, Mo., by H. J. Steinbrefer, president.

General Sugar Corporation, 67 Wall Street, New York, Col. G. A. Houston.

Sugar Plantations Operating Co., Habana, Cuba.

Ciego de Avila Compania Azucarera, Habana, Cuba.

Compania Azucarera Maria Luisa, S. S., Habana, Cuba.

Mr. SMOOT. Mr. President, I want Senators to understand and the country to understand that this association is nothing more nor less than the sugar-refining companies that are putting out this propaganda, and they intend to destroy the sugar industry of the United States, if possible. When that is done, God help the American people as to the future prices they will pay for sugar in this country.

Some Senator just asked what is the wholesale price of sugar to-day. It is over 9 cents a pound. I want to say to Senators that the same identical sugar, made by the same sugar-refining companies and produced by the same sugar-refining companies, was sold recently in the United States for a little over 5 cents.

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

Mr. SMOOT. I yield.

Mr. GOODING. What I want to say is that this is no new propaganda on the part of the sugar companies. Every year when American sugar is exhausted, which takes place some time in February or March, the people pay for Cuban sugar anywhere from 2 to 4 cents more than they had been paying

for American sugar. There has been no exception to that rule for the last four or five years. It is the old, old story over and over again. I put in the RECORD last year a statement showing that it cost the American people something like $100,000,000 to eat Cuban sugar or foreign sugar for six months more than it did American sugar produced on American farms, beet sugar in the West, and cane sugar in the South.

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

Mr. SMOOT. I yield.

Mr. HARRISON. When the Senator knows that within 45 minutes we will adjourn, and there are a great many of our colleagues going out of public life and we desire to say something about them, does the Senator think it is fair for him to take the closing hour of the Congress in the defense of a proposition with reference to which a resolution was introduced by me some time ago providing for an investigation, which the Senator himself obstructed and blocked?

Mr. SMOOT. With reference to blocking the investigation, that was not what the resolution was for. If it had been a straight-out resolution of investigation nobody would have objected.

Mr. HARRISON. I should be glad to amend it in any way to meet the Senator's views.

Mr. WALSH of Massachusetts. Mr. President, will the Senator not limit his time so I may have five minutes to answer him?

Mr. SMOOT. If Senators will not interrupt me, I shall be through very quickly. I would have been through before this if it had not been for interruptions.

Mr. WALSH of Massachusetts. I have not interrupted the Senator. I think the Senator ought to limit the time so that an answer may be made to his statement.

Mr. SMOOT. I have only a little more to say, and if the Senator will not interrupt me I shall be through very quickly.

I want to refer to one of the statements made, for all of the statements which appear in what I have had printed as a part of my remarks in the RECORD.

There was room on the seventh page of the refiners' letter for a further amplification of one of their many misstatements, and hence the following postscript:

"P. S.—Understand that several delegations of beet-sugar farmers have complained to the Tariff Commission and other sources at Washington about the treatment they have received from the beet-sugar factories. The burden of their complaint has been that they have been forced to raise their crops at a loss and that the beet factories have shared with them none of the benefits of the increase in tariff of 76 per cent."

Diligent inquiry fails to develop the fact that any beet growers have lodged complaints of the nature mentioned, excepting only growers in the section where the beet-sugar company, in which the Sugar Trust is so heavily interested, operates a chain of factories to the exclusion of independents.

Incidentally, "M. Doran" for the refiners overlooked the fact that it was this untrustworthy United States Sugar Association which almost before the ink was dry on the new tariff bill filed with the Tariff Commission a formal application with a view to having the tariff reduced on sugar.

Only those familiar with the sugar business can comprehend the extent of the malignity displayed in this letter toward a struggling home industry the members of which are trying to emerge from a universal condition bordering upon bankruptcy because they kept faith with 80,000 American farmers, and without a question paid them their high contract price for beets, regardless of the fact that due to the acts of these American Cuban interests the price of sugar had gone to smash. Quite a contrast to the "grub" store-check plan some of the mill owners were reported to have adopted in Cuba.

I remember that when the head of this United States Sugar Association, Mr. Henry Rubino, of New York City, appeared before the Finance Committee he had the effrontery to assume that Americans who had invested money in the sugar industry in Cuba were as much entitled to protection by the United States as were other Americans who have invested their money in our domestic sugar industry. In fact, he went even further by assuming that because, according to his figures, we had only $545,000,000 invested in the domestic sugar industry and these American exploiters had over a billion dollars invested in the sugar industry of Cuba they and not the investors in the home industry were entitled to first consideration.

Mr. Horatio S. Rubens, also of New York City, who posed here as representing "the Committee on Cuban Emergency," but who is chairman of the board of the Cuba company which built and operates the railroad running from Santa Clara to Santiago on the south and Antilla on the north, and owns and operates several of the largest and lowest cost-producing sugar mills on the island, also expressed the same views. He said:

"There are millions of dollars invested in American enterprises there (Cuba) that seem to me to have the same right to protection. There is $1,000,000,000 of it as against $175,000,000, at the outside, in the beet industry. The question is whether this is going to be legislation for the greatest good for the greatest number of American citizens, not only for those stockholders who have interests in Cuba to the extent of a billion dollars but for those merchants and laborers who are manufacturing articles for export commerce to Cuba."

The Senators may remember the analysis of Mr. Rubino's tabulation given in my speech of August 7, which showed that of the 85 mammoth American-owned mills in Cuba 49 are either owned outright by seven groups of American refiners or by companies which are affiliated with them, and that these mills have a capacity of 2,331,023 tons of sugar a year, or 53 per cent of the total Cuban output in 1920–21, their banner year up to that time. It also developed in Mr. Rubino's testimony that these refining interests owned enough cane area in Cuba—nearly three and one-half million acres—to produce, when planted, over 8,000,000 tons of sugar a year. The Cuban output has increased over a million and three-quarter tons during the past 10 years. If they keep on expanding, where are they going to find a market for this plethora of sugar? Excepting the United States and Great Britain, all the great nations in the Temperate Zone have shaken the tropical sugar shackles from their feet and by the aid of protection are producing their sugar at home. Japan is the latest nation to attain this enviable position. She started in 20 years ago with a well formulated plan, which included a protective duty, the setting aside of large tracts of land, the guaranteeing of 6 per cent interest on the investment, the furnishing of free fertilizers, the purchase and loaning of sugar machinery, and so forth, and her policy never wavered until she had accomplished her object. Quite a contrast to the vacillating policy the seaboard refiners have induced our Government to follow.

Since I came to the Senate 20 years ago, I have seen the sugar crop of my own State grow from 20,000 to 162,000 tons, or over 800 per cent, and I have seen the beet-sugar crop of the United States grow from 86,000 to a million tons, or an increase of over 1,160 per cent. This only has been made possible by the beet people keeping some one here who was alert and able to analyze the reams of misleading, lieing statements with which the refiners have almost constantly flooded Members of both Senate and House, and thus, by exposing their misstatements, enabling us successfully to controvert them. As I say, I have seen the industry grow to over a million tons, but against what odds has this increase been brought about? Twenty-one years ago, when the industry started to boom, it enjoyed a tariff rate of 1.68½ cents per pound. A few years later the refiners, scared at the erection of so many beet-sugar factories, succeeded in bringing about Cuban reciprocity which reduced the duty to 1.34 cents per pound. Later on they made another onrush and succeeded in bringing it down to 1 cent per pound and providing for automatic free sugar 2½ years later. But the World War intervened, we needed the revenue, and the free-sugar provision was repealed three days before it was to have gone into effect. But for our vacillating policy we undoubtedly would be producing our sugar at home to-day instead of having to send as much as $970,000,000 abroad in a single year for the purchase of raw sugar.

The refiners rightly contend that Cuba is the cheapest sugar-producing country in the world and, if we so lower the duty as to render our domestic producers unable to pay such price for beets as will induce farmers to grow them, Cuba will supply us with all the sugar we consume. We know this is true. On the other hand, the late Secretary of Agriculture Wilson told us in Senate Document No. 22, Sixty-first Congress, first session, that the United States has sufficient beet-sugar area on which to produce the sugar of the world. American capital is anxious to expand the domestic sugar industry to the limit of our consumption. But as neither here nor elsewhere in the world can beet sugar be produced as cheaply as can cane sugar in Cuba, to expand or even to maintain the industry a reasonable rate of duty must be maintained, and the duty ought to be stabilized.

Beet-sugar factories are not built for a season. They cost from one and one-half to five million dollars to erect and are built for generations. Farmers are slow to take hold of a new crop. Even under favorable conditions several years usually elapse before a factory has enough beets to make a really profitable run, for which reason the new investor is greatly handicapped—a new factory experiencing several years of losses—while a near-by, older factory, where the farmers are familiar with beet culture may at the same time be making a fair profit.

Last year we consumed 5,700,000 tons of sugar, or 28 per cent of all the sugar produced in the world. Of this amount 2,424,600 tons was produced at home and in our insular possessions and 3,237,449 tons came from Cuba, at a 20 per cent tariff preferential. The balance of the Cuban crop was compelled to find a market elsewhere and compete with other tropical sugar without any tariff favors such as they enjoy on sales to the United States. Their other sugar goes largely to Great Britain and now the possibility of losing the British market only adds to the determination of the sugar exploiters of Cuba to crush our domestic industry and thus enlarge their United States market. The inability of Great Britain to secure from overseas her customary million and a half tons of sugar a year during the World War convinced her free-trade statesmen of the desirability, indeed of the prime necessity, of a nation producing its sugar at home. As a consequence Britain has decided to build up a great national beet-sugar industry and is giving her two beet-sugar factories already in operation a tariff protection of 5½ cents per pound, the highest rate of sugar protection in the world. If Britain succeeds in her efforts, the United States will be the only great market in the world for the export of tropical sugar.

Mr. President, make no mistake, it is not the Cuban planters who are behind this propaganda to destroy our domestic sugar industry. The real Cuban planters have as much reason to fear the American refining exploiters of Cuba as have our domestic sugar producers. Twenty years ago it was largely the Cubans themselves who operated the sugar industry of their island, but since the American refining interests went in there with their mammoth mills they have crushed out and bankrupted or absorbed most of the smaller native planters and of the island's present production of nearly four and one-half million tons only a small fraction is produced by Cubans, most of whom fear that they also will be crushed out sooner or later by their wealthy and powerful American low-cost production competitors.

And the Cuban people as a whole are no better off than they were before this great development of the Cuban sugar industry took place. In fact, they are far worse off. The small plantations, on which the natives formerly produced coffee and numerous other tropical products, which we import to the value of over $400,000,000 a year, have been absorbed by those great sugar plantations, and the formerly independent native is either growing cane for them or is working for them by the day—for cash when times are good, for "store checks" in times of depression.

Most of the vast sum of money which the sugar industry is supposed to scatter among the Cuban people never leaves New York. Most of it goes no farther than the Jersey hills, Long Island, Tarrytown, or Lenox, or the suburbs of Boston and Philadelphia, where reside most of the refining magnates. The native Cubans get only a few of the crumbs which fall from the refiners' groaning table.

When one considers the tremendous stake which the refiners are playing for it may not appear strange that people lacking in patriotism should stoop to such a low plane in their efforts to destroy an important industry of their own country. With Cuban holdings sufficient to produce 8,000,000 tons of sugar a year, give the refiners complete control of our markets, with power to fix at will the price 110,000,000 people must pay for their sugar, and their wealth in 10 years would eclipse anything ever dreamed of by a Rockefeller or Henry Ford.

Mr. HARRISON obtained the floor.

Mr. WALSH of Massachusetts. Mr. President——

The VICE PRESIDENT. Does the Senator from Mississippi yield to the Senator from Massachusetts?

Mr. HARRISON. I yield to the Senator from Massachusetts, if I may do so without losing the floor.

Mr. WALSH of Massachusetts. Mr. President, I have requested the Senator from Mississippi to yield to me in order that I may reply very briefly to the Senator from Utah [Mr. SMOOT].

Mr. President, the speech which the Senator from Utah has just delivered has been brought about by reason of the claim which was advanced in a communication from the United States Sugar Association, which has been printed in the RECORD, that refined sugar advanced in wholesale price from 6¼ cents a pound to 9 cents a pound since the passage of the Fordney-McCumber tariff law last September. The Senator from Utah does not dispute the fact that in five months refined sugar advanced in price 2¾ cents per pound; he does not dispute the fact that the price of sugar is higher in America to-day than it has been in 40 years, with the exception of five months during the peak of war prices in 1919 and the average price for 1920; he does not dispute the fact that the Fordney-McCumber law levied a tariff tax upon Cuban sugar amounting to almost 2 cents a pound.

Mr. SMOOT. The duty is $1.76 a hundred pounds.

Mr. WALSH of Massachusetts. The contention held by the writer of the communication and by members of the minority is that if the tariff of 2 cents per pound upon sugar were removed refined sugar would be selling in this country to-day for 7 cents per pound instead of 9 cents per pound. It is not often that tariff duties are so soon reflected in increasing prices, but sugar is such a necessity of life and such a commonly used food product that the tariff levied on the sugar that it is necessary to import to supply the demand is certain to at least advance the price of the domestic supply to the level of the cost of the raw product at the foreign source of production, plus the freight charges and the duty levied.

Mr. President, to deny that the tariff is responsible is a most inconsistent attitude for Senators to take now that prices have increased following the passage of a tariff act. What did you demand a tariff upon sugar for? Was it not to enable the home producer to increase his price to the level of the foreign cost, plus the amount of the tariff? What are the real facts about sugar? The price of 96 per cent raw sugars to-day is 5.62½ cents per pound, and the duty cost and freight is 1.78½ cents per pound, making the duty-paid price upon arrival in America 7.41 cents per pound. The price of refined sugar is 9 cents per pound, less 2 per cent, or net price of 8.82 cents per pound. Thus the refiners' margin is 1.41 cents per pound, to cover cost of refining, marketing, brokerage, and profit. It is evident that if the tariff was 1 cent instead of 1¾ cents per pound, sugar would be selling at about 8 cents per pound, and if raw sugar was admitted free refined sugar would be selling at about 7 cents per pound.

Mr. SMOOT. Mr. President——

Mr. WALSH of Massachusetts. I can not yield to the Senator. He consumed three-quarters of an hour in discussing this question, and I am under obligations to the Senator from Mississippi for yielding to me.

The Senator from Utah in his argument has not disputed the fact that if the tariff were removed from sugar its price would be reduced. He has not and he can not dispute the fact that the levying of the tariff duty of 1.76 cents per pound increased the price of sugar by about 2 cents per pound. To deny it is to dispute the whole theory of protection to home industries.

Mr. SMOOT. I do dispute it.

Mr. WALSH of Massachusetts. The Senator answers the claim made by talking about the selfish motives and purposes of the writer of the letter submitted by the United States Sugar Association, but I am not going to take the time of the Senate at this late hour to answer an adverse criticism of sugar importers.

I wish to say, however, in reply to the Senator from Utah that not only sugar but practically every article which was given protection in the Fordney-McCumber tariff law has in the last five months reflected an increase in price. For instance, sweaters, blankets, woolen clothing, woolen underwear, all classes of woolen goods, have been very substantially increased in price, as have building materials of all kinds and cotton cloth; in fact, there is scarcely a single article on which the duty was increased in the Fordney-McCumber tariff law to which there has not already been reflected an increase in prices.

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

Mr. WALSH of Massachusetts. I can not yield. The Senator from Mississippi has yielded to me. I can not give away his time.

Mr. GOODING. I merely desire to say that most building materials are on the free list or have a very small duty imposed upon them, and that carpet wool is on the free list, and yet carpets are selling at a higher price than has ever been known in the history of this country.

Mr. WALSH of Massachusetts. Mr. President, let me enumerate a few price increases which have occurred. I shall quote from a communication from the Fair Tariff League. Where can we determine what materials have increased in price except from those who deal in such materials? Where can we learn of the effect of the tariff in increasing the price of sugar except from the sugar corporations and the sugar dealers, wholesalers and retailers? Where can we learn about the effect of increased prices upon woolen goods except from clothiers, and about the effect on building materials except from those dealing in such materials? The division of building and housing of the Department of Commerce in a recent table shows that the cost of a 6-room house made of brick has advanced since the passage of the new tariff law 9 per cent; that the cost of a 6-room frame house has advanced 10 per cent, and the cost of a typical factory building has increased 15 per cent. The only articles that show practically no increase in price are such articles as brick and cement, which were kept on the free list.

I wish I had time to read this list and to show how in five months the cost of living to the American people has increased from 10 to 30 per cent on many of the necessities and essentials of life. The per cent of increase on sugar alone is about 45 per cent. Sugar is only one article the price of which has enormously advanced, but practically every single article upon which a duty has been levied has already reflected that duty in an increase in price, and it is expected that the increases will continue, because the law has been in operation for so short a time that the full effect of the tariff in increasing prices has not yet been reflected.

I have a communication before me from a leading clothing manufacturer of Baltimore, in which he confirms what has already been said by the clothing manufacturers of New York. He says:

The great change (in prices) is in the domestic fabrics on both suitings and overcoatings. I should say the average increase is 15 to 20 per cent for the materials, so that affecting men's wearing apparel for the fall and winter season of 1923 a suit or overcoat which sold formerly for $30 retail will have to bring $35.

So on suits of clothes an increased price of $5 has already been reflected. This is not hearsay, but from a manufacturer who states how the increase is brought about.

But, Mr. President, I can not and will not longer take the time of the Senator from Mississippi. I ask permission that certain very important and enlightening communications which I have from the Fair Tariff League, from two clothiers, and two other communications showing the effect of the Fordney-McCumber tariff bill in increasing prices may be inserted in the RECORD.

Mr. SMOOT. Before that is done I desire to say a word.

Mr. HARRISON. I do not want to lose the floor.

Mr. SMOOT. If the Senator does not want to yield, I shall object to the communications being printed in the RECORD. I do not care, of course, whether they are printed in the RECORD or not; but if they are to go in, I want them to go in with the very distinct understanding as to whom the communications are from. When that is made known I shall have no objection to the communications being printed in the RECORD.

Mr. HARRISON. I do not want to lose the floor.

Mr. WALSH of Massachusetts. I have no purpose to camouflage the authors of the communications.

Mr. SMOOT. If the Senator will let me make a short statement, I shall not object.

Mr. WALSH of Massachusetts. One communication is from the Fair Tariff League; another from M. Stein Co., of Baltimore; another from William Goldman, of New York; and two other communications, one from the United States Sugar Association, and one from Spokane, Wash.

Mr. SMOOT. I wish to show what the Fair Tariff League is. I want to say to the Senate that the Fair Tariff League is nothing more nor less than Mr. H. E. Miles; that is all there is to it.

Mr. HARRISON. Mr. President, I decline to yield.

Mr. SMOOT. Then, if I can not make the statement, I shall object to the communications going in the RECORD.

Mr. HARRISON. I merely do not wish to lose the floor. I will yield to the Senator if I do not lose the floor.

Mr. SMOOT. I wish to say further to the Senator from Massachusetts that, coming from the source it does, I deny the statement as to woolen goods. I say that it is not true. I would not ask Senators to take my word for it, for I could prove it now if I had the time.

Mr. President, with that statement the communications may go into the RECORD.

The VICE PRESIDENT. Without objection, the communications will be printed in the RECORD.

The communications referred to are as follows:

UNITED STATES SUGAR ASSOCIATION,
New York, March 3, 1923.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

HONORABLE SIR: Observing that the Brookhart resolution to investigate the sugar situation has somewhat stirred up matters and that you were considerate enough to insert my communication, I thought I would add a few observations in anticipation of what Senator SMOOT might have to say.

The price of 96° raw sugar to-day is 5.62½ cents per pound, and the duty, cost, and freight to be added is 1.78½ cents per pound, making duty-paid price 7.41 cents per pound. The price of refined is 9 cents per pound less 2 per cent or net price of 8.82 cents per pound. Thus refiners margin is 1.41 cents per pound to cover cost of refining, marketing, brokerage, and profit, which does not display extortion on the part of refiners.

On the other hand, according to Weather, Crops, and Markets issue of December 23, 1922, the average price paid beet farmers by beet factories for a ton of beets containing 15.50 per cent of sugar from which 13.17 per cent of refined sugar, or 263.4 pounds, were extracted was $5.65. Thus the beet factories have secured their raw product at an average of 2.14 cents per pound and are now selling it on the basis of New York price of refined, 9 cents plus freight charge; in Colorado, Utah, Montana, Michigan, Nebraska, Wyoming, and other States, which ranges between 1 cent and 1.84 cents per pound more. They are therefore taking advantage of the rise on the cost of raw cane sugars to refiners to raise their prices though their raw product cost has been constant at 2.14 cents per pound. As the cost of beet factories to make refined, when they have secured their raw product at 2.14 cents per pound is no more than 1½ cents per pound, their total cost to produce is 3.64 cents per pound, leaving them a margin between cost and selling price of 5.36 cents per pound at 9 cents, 6.36 cents per pound at 10 cents, and 7.20 cents per pound at 10.84 cents per pound, in contrast to a cane refiners' margin of 1.41 cents per pound at present prices of 9 cents. Such prices mean 11 cents to 12 cents per pound retail in the Western States where beet sugar is produced in surplus quantities. Even if cane refiners were extorting abnormal profits, the beet factories are profiting to a greater extent as they follow all advances and sell upon the basis of the New York refined price, and their margin of profit is from 5 to 7 times that of cane refiners.

The tariff adds 2 cents to every pound and is responsible for 2 cents of the cost. If removed, sugar would now be selling at 7 cents instead of 9 cents. If reduced 1 cent, sugar would be selling at 8 cents instead of 9 cents, as it would cost refiners just so much less for their raw product, and they could afford to offer it just so much less.

I observe that Senator SMOOT returns to the old charge that refiners now control the raw production of Cuba and are themselves raising the price of the raw product. In his speech of August 7 last, Senator SMOOT attempted to show that a refining group controlled 2,331,035 tons of the Cuban production. This was answered by Mr. Rubino in his article "Sugar, the proposed high duty." The complete story, pages 20 to 27, wherein he shows that individuals who may be stockholders in refineries are interested in Cuban companies which produce 530,000 tons instead of 2,331,035 tons, and that the group charge of Truman G. Palmer and Senator SMOOT is absurd. As a matter of fact, a refiner's profits depend upon the low price at which he may obtain raw sugars; the more he pays the less his profits. So if he went extensively into the raw production he would be doing so at the expense of his refining business. One business would be operating against the other. For this reason neither Arbuckle, Federal, Penn, or Savannah refineries, as well as National, have any raw sugar interests whatever. It is a simple business proposition with them not to have a raw sugar interest compete with their refining interests.

Let Senator SMOOT explain how it was that sugar advanced from 6.25 to 9 cents per pound since the passage of the tariff bill, when he attempted to show that the price would decline; how the price of sugar went up during the very time that Louisiana and domestic came on the market, when he said that the price invariably declined during this period, and what benefit the farmer derives at a price of $5.65 per ton with sugar selling at 10 and 11 cents in 1923, when the farmer was getting $5.84 per ton in 1912 and $5.69 per ton in 1913 when average prices for refined were 5.04 and 4.278 cents, respectively, and why the factories do not share the benefits of tariff with the farmer when their profit from it on 263.4 pounds of sugar extracted from a ton of beets in 1922 at 2 cents per pound is $5.268 per ton in itself, and they pay the farmer but $5.65 per ton even when they sell their sugar at 10 cents per pound.

Thanking you for the consideration given my communication and trusting that the inclosed may serve to further embarrass any of the high tariff advocates who may attempt to defend their position on sugar tariff, I beg to remain,

UNITED STATES SUGAR ASSOCIATION.
By M. DORAN, *Assistant Secretary.*

NEW YORK, *February 12, 1923.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

DEAR SENATOR WALSH: I promised to write you a little later concerning the advances on other articles of wool manufacture and also concerning the opening prices on suitings, which were generally opened last week.

With regard to the latter, the fancy suitings opened by the American Woolen Co. reflected price advances ranging from 15 to 20 per cent over those of a year ago, and that about reflects the situation generally throughout the market on other lines. One worsted manufacturer making very fine suitings told me that if he marked his goods on the basis of the existing price of wool, they would have to be 25 cents a yard higher, a difference of perhaps 6 or 7 per cent. Practically all manufacturers have stated that they are not selling their goods on a basis of the existing wool market; that they are all figuring their wools on the basis of actual cost; and practically all of them provided stock to make their goods out of several months ago.

I have spoken to one of the largest manufacturers of woolen underwear. He tells me that on all-wool underwear the advance is 20 per cent; that the great bulk of the business, however, is done on part-woolen underwear, and the advances range from 10 per cent on this class of merchandise, depending upon the quantity of wool used.

With regard to hosiery, he tells me that the situation is somewhat confused on account of some dislocation in this industry due to the style factor and the competition with the silk-hosiery business, but he said that the situation would not be different than it is in underwear if the manufacturer had to go out and buy his wool and sell it on his usual percentage of mark up.

I have spoken to another very large manufacturer of sweaters. They specialize in the manufacture of a sweater coat that is sold all over the country in a very large way at $6 at retail. He says the price for the coming fall will be $7.50 at retail, and if he were to buy wool on the present market it would have to be higher.

* * * * * * *

Very truly yours, WM. GOLDMAN.

M. STEIN & CO.,
Baltimore, Md., February 20, 1923.

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR: Pursuant to conversation we had on the train last week, and in compliance with your request for information as to increased prices on domestic and imported woolen and worsted fabrics, and what effect the increased price will have upon suits and overcoats, beg to say that notwithstanding that the duty on imported fabrics under the new tariff bill is much higher, there is only a change of about 20 per cent increase on imported woolens and worsteds when landed here.

The great change is in the domestic fabrics on both suitings and overcoatings. I should say the average increase is 15 per cent to 20 per cent for the material, so that, affecting men's wearing apparel for the fall and winter season of 1923, a suit or overcoat which sold, will say, for $30 retail will have to bring $35.

The $5 increase, for your information, I will say, is made up as follows:

The woolen or worsted fabric that would go into a $30 retail suit costing last year an average of $3 a yard will cost now 20 per cent more, or $3.60 a yard. This increase, together with a minimum of 20 per cent increase on trimmings that goes into a garment, will mean that the manufacturer will have to charge the retail merchant at least $3 more for the garment, and the retailer, of course, will ask about $5 more.

The same percentage of increase prevailing in the highest priced garments will mean that the manufacturers will have to ask $5 to $6 more of the retailer, who in turn will have to add $10 to the retail price over last year.

If there is anything additional that you would like to know, I will be glad to hear from you.

Yours very truly,

M. STEIN.

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SPOKANE, WASH., *January 29, 1923.*

HON. SENATOR WALSH,
Washington, D. C.

I recently noted an article which appeared in the Associated Press dispatches, published in our little paper here, regarding what Senator SMOOT had to say about the highbrows objecting to the Republican Party's tariff of 31 cents per pound on wool, etc., not increasing the cost of a suit of clothes to any extent. His talk about only the highbrows objecting is all bunk, and his statement is misleading, inasmuch as he would figure out that my wool suit of clothes would cost me only $1.24 more. Senator SMOOT is trying to throw sand in the people's eyes for the benefit of the woolgrower. I am a Republican in politics, but I could never support a party which would place a tariff on wool, hides, etc., where a very, very few people are benefited at the expense of 110,000,000 American citizens. The $1.24 tariff on the 4 pounds of wool in my suit of clothes, at Spokane, works out about as follows:

Tariff on the 4 pounds of wool	$1.24
Plus the American Woolen Co.'s expenses and profit manufacturing and selling the cloth, 45 per cent	.56
	1.80
Plus the clothing manufacturers' cost, 40 per cent	.72
	2.52
Plus the wholesale clothing company's expenses, freight, profit, etc., 30 per cent	.76
	3.28
Plus the retailer's freight, expenses of selling, and profit, 60 per cent	1.97
	5.25

That is about the way it works out, and when I buy my suit of clothes here it has a cost of $5.25 to $6 more for the $1.24 tariff on the wool in my suit of clothes. Of course, we know it should not, but it does. In reality, we figure about $6 on each man's suit.

Respectfully,

J. COURTNEY.

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WASHINGTON, D. C., *March 3, 1923.*

Hon. DAVID I. WALSH,
United States Senate, Washington, D. C.

MY DEAR SENATOR WALSH: Answering your inquiry as to changes in prices in recent months, and in particular since the passage of the Fordney-McCumber tariff law September 22, 1922, I submit the following:

The Division of Building and Housing of the Department of Commerce, in a recent table, shows that a six-room house made of brick advanced 9 per cent in cost from July last to January last; a six-room frame house, 10 per cent; and a typical factory building 15 per cent.

A table recently prepared by the Bureau of Labor Statistics of the Department of Commerce shows that plate glass from 3 to 5 inches square advanced 10 per cent from August to December last. These pieces, it should be noted, are cut out of large broken pieces. Pieces 5 to 10 square feet advanced 22 per cent. Single A window glass advanced 9.6 per cent and single B 6 per cent. Lumber has advanced 9 per cent. Common brick and cement, which were left on the free list, advanced 2 per cent only, while the high-protected articles like glass advanced from 6 per cent to 22 per cent. Nails advanced 11 per cent; structural steel, 11 per cent; steel bars for reinforcing, 13 per cent. Since these December advances there have been further considerable advances in the metal market. It seems clear that the makers of heavy steel products will get all or most of the $351,000,000 per annum that our experts figured that the Fordney law permits them to add to their prices. The entire steel market is very firm and prices advancing to an alarming extent, in the judgment of manufacturers and others. The Fordney-McCumber tariff law raised the duty on files from 25 per cent to 44 per cent, an increase of 19 points. Prices were immediately increased 15 per cent, or three-fourths of the tariff increase.

The entire tariff increase was added to the price of aluminum almost immediately, one advance being 2 cents per pound and the next advance 3 cents. The price of domestic aluminum to-day is the English price plus the duty plus freight to New York on the competitive English product.

Lead increased 40 per cent; zinc, 8.3 per cent; antimony, 30 per cent; and aluminum, 27 per cent. These advances are from September 1 to January 4 last. Of the steel alloys used to make automobiles and other manufactured products lighter and stronger, prices have advanced greatly, some having doubled in price.

Knit underwear has increased 15 per cent. Clothing generally has increased 15 per cent. Some woolen goods are being offered at apparently old prices, but they are of cheaper quality, with more of cotton and shoddy in them.

Cotton cloths have advanced from 20 to 25 per cent; from one-fifth to one-fourth of this advance is due to increase in raw material, the rest principally due to the tariff. Indianhead cotton sheeting, a well-known brand, has advanced 22½ per cent. Some cheap sateens for women's wear and for men's sleeve linings have advanced about 50 per cent. Certain English cotton spinners have expressed satisfaction at our high rates, saying that they restrict her importations, which are only $10,000,000 per year, but they lessen our competition in other countries to which England exports $500,000,000 worth. Linens have advanced in this period 3 cents per yard; ordinary damask, 5 per cent; linen canvas, 5 cents per yard.

* * * * * * *

The Journal of Commerce of New York City in January last published a list of about 75 chemicals on which the duties were advanced in the Fordney law. All but one had added all or most of the increase in the duty to the price. Of another list of 13 drugs and chemicals, each had added all or most of the duty. Of another list of five chemicals that were put on the free list, the price had decreased on each.

Very truly yours,

FAIR TARIFF LEAGUE,
(Signed) H. E. MILES, *Chairman.*

Mr. JONES of New Mexico. Mr. President, will the Senator from Mississippi yield to me for just a moment?

Mr. CALDER. Mr. President——

Mr. CURTIS. Mr. President, let us have the regular order.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. HARRISON. Mr. President, I was perfectly willing to yield to the Senator from New York who I thought was going to report the resolution introduced day before yesterday by the Senator from Iowa [Mr. BROOKHART] to investigate the increase in the price of sugar. I am willing now to yield to him, but a point of order would probably be made against me, and I do not want to lose the floor.

Mr. CURTIS. I understand the Secretary of Commerce has a large appropriation for this purpose and he intends to investigate the subject, and, therefore, I demand the regular order.

Mr. HARRISON. Mr. President, it is perfectly appropriate——

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

Mr. HARRISON. I want to proceed for just a few minutes. Does the Senator from New York want to ask a question?

Mr. CALDER. I have a resolution which I desire to report.

Mr. HARRISON. What resolution, may I ask?

Mr. CALDER. The sugar resolution. I am prepared to report that resolution if it is in order.

Mr. HARRISON. The Senator refers to the resolution to investigate the sugar situation?

Mr. CALDER. Yes.

Mr. HARRISON. I will yield for that purpose, unless I will thereby lose the floor.

Mr. CURTIS. I demand the regular order.

Mr. LA FOLLETTE. What is the regular order?

Mr. CURTIS. The Senator from Wisconsin knows what is the regular order as well as I do.

Mr. LA FOLLETTE. I know there is a regular system here to block this investigation of the sugar trust.

The VICE PRESIDENT. The Senator from Mississippi has the floor. He has not yielded to anyone.

Mr. KING. Mr. President——

Mr. CURTIS. I demand the regular order.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. KING. I ask unanimous consent, if the Senator will yield, that the Senator from New York be permitted to report the resolution just referred to.

Mr. CURTIS. I demand the regular order.

The VICE PRESIDENT. The Senator from Mississippi will proceed.

Mr. HARRISON. Mr. President, it is perfectly appropriate that during the last 35 minutes of the Congress the distinguished Senator from Utah, who is known to stand for high-priced sugar to the consumers of the country, should have spent this time in a defense of the increase in the price of sugar, whether it came by virtue of a trust in Cuba or by virtue of a trust in this country. At the last Congress, when we had thoroughly discussed this whole sugar problem, after those of us on this side and some on the other side had joined hands to prevent the increased tariff rate on sugar going into the tariff bill, the Senator from Utah saw fit, during the last minutes of a dying Congress, to rise in his place and make an extensive speech defending the tariff on sugar. I pointed out night before last that in all probability during the last minutes of this Congress, when no one would have a chance to reply, he would follow the same policy. That prophesy has come true.

Mr. SMOOT. The Senator must know that I had no chance to speak earlier, on account of the filibuster that took place here yesterday afternoon and evening.

Mr. HARRISON. The Senator had no chance because he and others were trying to put down our throats the ship subsidy bill——

Mr. SMOOT. Not at all.

Mr. HARRISON. When everybody knew for weeks that they had no chance to do it, and if they had stopped sooner we could have gone along in an orderly way, and many of the bills that have died on the calendar, which you promised your constituents to pass, could have been passed.

Mr. President, I am sorry that it has been necessary to say that even during the closing hours of a Congress, when everybody except a Republican Senator should feel good because Congress is at an end. [Laughter in the galleries.]

The VICE PRESIDENT. The occupants of the galleries must preserve order.

SENATOR JOHN SHARP WILLIAMS.

Mr. HARRISON. Mr. President, I may say that personally I am very sorry that many of my colleagues on the other side will be here no more. Politically, of course, I am glad; but, Mr. President, I have risen to-day to speak very briefly of one gentleman whose departure from this body is universally regretted.

Few men ever entered this Chamber better prepared by education and training and natural ability to render great public service than did my distinguished colleague, JOHN SHARP WILLIAMS. Possessing a towering intellect, a store of ready information that is inexhaustible, a sharpness, a quickness, and a richness in debate that is as attractive as it is effective, it was natural that during his 30 years of congressional life he should have risen to the leadership of his party in the House and a commanding position in this body.

His peculiarity of style, his grace and purity of diction, his clearness of imagery, his thorough understanding of economic and diplomatic problems, both national and international, enriched the debates of the Senate and the literature of our country. A picturesque and unique character, he will be greatly missed from this Chamber and the public life of the Nation. He voluntarily retired from public service. He could have remained here as long as he lived. There was not the slightest sign of opposition to him upon the political horizon when he announced his intention to retire. He goes back to his people, whom he loved and served so long and faithfully.

Mr. President, the heart of Mississippi to-day is heavy because of the retirement of her mightiest statesman. Not only Mississippi but the Nation, as well as civilization, needs him at this hour; but he has followed his own inclination, callous to tempting and highly remunerative offers, he chose to go back to his plantation in Yazoo, where he might live anew with his old friends, might play with his grandchildren, listen to the stories of trusted colored servants and field hands, and hear, as he has beautifully said, the chorus of his mocking birds, and pluck from his own garden, with his own hands, his own flowers, kissed by the southern dews.

I am sure I voice the sentiments of not only the people of Mississippi but those of every Member of this body and a large part of the country in expressing these few words of regret at his retirement and warmest good wishes for a long life and happiness.

FEDERAL FARM LOAN BOARD.

The VICE PRESIDENT. The Chair lays before the Senate a joint resolution from the House of Representatives, which will be read.

The Assistant Secretary read the joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, as follows:

Resolved, etc., That the sum of $24,000 is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year ending June 30, 1924, to provide payment for the following additional positions in the Federal Farm Loan Board: Two members at the rate of $10,000 each and two private secretaries at the rate of $2,000 each.

Mr. McLEAN. I ask unanimous consent for the immediate consideration of the joint resolution.

The VICE PRESIDENT. Is there objection?

Mr. SMOOT. If it leads to no discussion, I shall not object. It ought to be passed.

Mr. BURSUM. What is the proposition, Mr. President?

Mr. McLEAN. It provides the compensation for the two new members of the Federal Farm Loan Board agreed to by the action we took yesterday.

The VICE PRESIDENT. Is there objection to the present consideration of the joint resolution?

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

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

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE submitted the following resolution (S. Res. 473), which was considered by unanimous consent and agreed to.

Resolved, That a committee of two Senators be appointed by the Vice President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn unless the President has some further communication to make to them.

The VICE PRESIDENT appointed Mr. LODGE and Mr. ROBINSON as the committee on the part of the Senate under the resolution.

COMMISSION OF GOLD AND SILVER INQUIRY.

The VICE PRESIDENT. Pursuant to the provisions of Senate Resolution 469, creating the Commission of Gold and Silver Inquiry, the Chair appoints the following Senators members of the commission: Mr. NICHOLSON, Mr. ODDIE, Mr. GOODING, Mr. WALSH of Montana, and Mr. PITTMAN.

ADJUSTMENTS OF CONGRESSIONAL SALARIES.

The VICE PRESIDENT. Pursuant to section 10 of the act (H. R. 14435) making appropriations to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia during the fiscal year ending June 30, 1924, the Chair appoints Mr. WARREN, Mr. SMOOT, and Mr. OVERMAN as members on the part of the Senate of the joint committee of Congress to investigate and report to Congress on the first day of the next regular session what adjustments, if any, should be made in the compensation of the officers and employees of the Senate and House of Representatives, including joint committees and joint commissions, the office of the Architect of the Capitol, the legislative drafting service, and the Capitol police.

SENATOR CHARLES A. CULBERSON.

Mr. SHEPPARD. Mr. President, when the Senate adjourns to-day my colleague, the senior Senator from Texas [Mr. CULBERSON], will retire from this body, after a service of 24 years. In point of sustained efficiency, industry, and effective statesmanship that service is notable in our country's annals.

Before coming to the Senate he had been governor and attorney general of Texas, and in these capacities had made so brilliant a record as to win, not only the devotion of the people of Texas, but the attention and the approval of the Nation.

Entering the United States Senate immediately upon the conclusion of his official career in Texas, he soon established himself in the front rank of this assembly. For almost a quarter of a century he has maintained that relation here—honored, beloved, his counsel valued, his judgment sought. He has been the official leader of his party on the floor, his period of command proving an asset and an inspiration to the fighting Democracy.

I need not review on this occasion his memorable labors for Texas and the Nation. His stainless conduct, his engaging personality, his fidelity to the public interest, his intellectual strength, his amazing grasp of detail, and his ability to reduce the most complicated problems to the crystal clearness of a simple formula, evidenced no less by his success at the bar than by his efforts in executive and legislative positions, exemplify what is best in American character and achievement. I have risen more especially to express the sadness I feel, and which I know the Senate feels, in witnessing his departure from this arena, on which he has reflected a luster in keeping with its brightest traditions.

THE TARIFF AND THE FARMER.

Mr. JONES of New Mexico. Mr. President, in connection with the discussion between the Senator from Utah [Mr. SMOOT] and the Senator from Massachusetts [Mr. WALSH], I have here an article which appeared in the American Farm Bureau Federation Weekly News Letter discussing the tariff in its relation to the farmers of the country. I ask permission that this article may be printed in the RECORD in eight-point type.

The VICE PRESIDENT. Is there objection? The Chair hears none, and it is so ordered.

The matter referred to is as follows:

[From the American Farm Bureau Federation Weekly News Letter of January 11, 1923.]

MORE COST THAN GAIN IN TARIFF—NET LOSS TO AGRICULTURE IS ESTIMATED AT $300,000,000.

This tariff study is submitted by the department of research as a final summary of conclusions on the tariff situation.

This study of the tariff was undertaken for the purpose of appraising the effect of a protective tariff on the income and expenditures of the farmers of the country, having special refer-

ence to the tariff of 1922. This involved two tasks—first, to determine to what extent farmers as producers are benefited by import duties on their own products through resultant increases in market prices; and second, to estimate the increased cost of commodities purchased by farmers, whether agricultural or industrial products, attributable to the existing tariff. In the foregoing articles of the series an analysis of the relation of each of the more important farm products to the tariff has been made; a general discussion of the effects of import duties on prices of the products of other industries has been presented. In the present article a summary of conclusions will be set forth and an estimate of tariff gains and costs based on a final scrutiny of the data at hand will be offered, which, it is believed, indicates reliably, though roughly, the net financial significance of the new tariff for the general farming community.

For the purpose of this presentation the tariff schedules may best be divided into two groups: Those relating to farm products and those relating to other commodities. In the first group, farmers generally are interested both as producers and as consumers; in the second group they are interested directly only as consumers.

AGRICULTURAL SCHEDULES INVOLVE BOTH GAINS AND LOSSES.

Taking up first the schedules relating to agricultural products, it is to be noted that certain of the duties carried will increase the value of products to the benefit of those farmers who produce the given product, and thereby increase the cost of living or of operation for other farmers purchasing that product in raw or manufactured state. On the whole, however, it is estimated that gains to producers will outweigh increases to farm consumers of farm products. The accompanying table presents the figures in detail for each group of commodities accorded protection in the present law.

The bases of these various estimates and a résumé of general conclusions regarding each line of product—derived chiefly from the foregoing special article of this series—follow:

Table showing estimated results of tariff on farm products.

	Gain.	Cost to farmers.	Cost to all consumers.
Wheat	$10,000,000	$3,000,000	$12,000,000
Other cereals	1,000,000	500,000	1,500,000
Sugar	45,800,000	48,100,000	192,400,000
Dairy and poultry products	3,000,000	.....	9,000,000
Wool	37,500,000	27,300,000	91,000,000
Cattle	1,500,000	1,000,000	1,800,000
Tobacco	10,000,000	5,300,000	53,000,000
Flaxseed and linseed oil	3,500,000	2,700,000	9,000,000
Miscellaneous products:			
Lemons	5,000,000		
Almonds	500,000		
Walnuts	1,500,000	2,000,000	17,000,000
Miscellaneous fruits and vegetables	1,000,000		
Hemp	500,000		
Cloverseed	4,000,000	5,000,000	5,000,000
Total miscellaneous	12,500,000	7,000,000	22,000,000
Total farm products	124,800,000	94,900,000	391,700,000

Net gain to agriculture, $29,900,000.

THE WHEAT TARIFF.

As the United States is an exporter of wheat the general impression is that an import duty is useless as a means of increasing domestic prices. Little exception can be taken to this statement of the case as regards winter wheat. A complication arises, however, in the fact that hard spring wheat is at times imported as a premium grade from Canada for mill consumption in this country. An import duty is probably in some years of material benefit to American spring wheat growers. The facts regarding imports, exports, and consumption of this product are not available. The general situation which determines the price for it, however, seems to be this: Under conditions of free trade the price of spring, as well as winter, wheat is based on the Liverpool quotation; neither American nor Canadian spring crops can sell much above the price prevailing at Liverpool, given freedom of shipment across the border, though they may sell either above or below winter wheat, depending on the relative volume of spring and winter production. In the second place, production of spring wheat in the United States has been practically stationary for the past 20 years, which probably accounts for the fact that in three out of the last six years quite considerable quantities of Canadian wheat have been imported and ground—and presumably consumed in this country. Now, given such conditions, there will be a natural tendency for prices of American spring wheat to rise above the Liverpool base whenever the crop of that grain falls below the average or when the crop of winter wheat or of Canadian spring wheat is unusually large. That is, there will be in the United States a local relative shortage of spring wheat not existing in the world market, with consequent tendencies toward bulging prices. Free entry of Canadian grain levels down this tendency and the existence of a tariff barrier against that grain allows the domestic situation to secure its logical effect.

CROP OF 1921 AFFECTED.

There is evidence that the tariff did maintain the price of northern spring wheat above world levels in the season of 1921 and 1922, as it remained consistently above Canadian prices for Manitoba as well as above domestic prices for red winter. This year, with a very large crop of spring wheat, the effect of the duty is apparently slight or probably entirely nil. The determination of a definite figure to represent benefits to growers is largely guesswork owing to the complexity and obscurity of the factors involved. The amount here fixed upon, namely, $10,000,000 per year, can only be taken to indicate that the sum is small compared to the total value of output, taking the average of one year with another. The cost to consumers in the form of higher prices for flour and mill feed is placed at $12,000,000, allowance being made for the increased cost of imported wheat. Of this amount $3,000,000, or 25 per cent, is allocated to farmers as consumers.

OTHER CEREALS.

Import duties on corn, oats, rye, barley, and rice are of little significance. Growers of buckwheat probably benefit somewhat from the duty on Canadian grain brought in mainly for feed. The duty on corn may occasionally be a minor factor when conditions favor imports from Argentina, which is not the normal situation, as that country's surplus will usually find a better market in Europe; and the tariff on oats and barley will probably influence prices seasonally and locally along the Canadian border to a small degree. Gains to producers are estimated roughly at $1,000,000 per annum; cost to consumers, including increased cost of imported cereals, in which rice from the Orient figures most largely, at $1,500,000; and cost to farm consumers at $500,000.

SUGAR.

There can be no question that the duty on sugar increases the price of that commodity to about the extent of the duty on Cuban 96° centrifugals, which was fixed in conference at 1.7648 cents per pound. If it be assumed that the whole of this increase accrues to the growers, the addition to the value of their average production is $45,800,000 annually. There is, as pointed out in the article dealing with the sugar tariff, some question whether the manufacturers may not be able to retain some of this increment; but as there is no basis for estimating any definite proportion going to manufacturers, the whole amount is allocated to growers' gains. The cost to consumers, based on 1921 consumption figures, is $192,400,000, of which burden it is estimated that farmers as a group bear 25 per cent, making the increased cost of sweets consumed on the farm $48,100,000. In these latter estimates it is assumed that only the amount of the Cuban duty is passed on to the consumer. As a matter of fact, the full rate of duty, which is 25 per cent higher than the Cuban preferential rate, applies to imports of refined sugar, as none is imported in the refined state from Cuba. Imports of refined sugar are usually negligible, and this excess protection accorded the manufacturer is here ignored, as its benefit can only be secured through price-fixing agreements, as to the existence of which nothing is here affirmed.

DAIRY AND POULTRY PRODUCTS.

The duties on this group of products are of slight importance to agriculture. The rates on milk and cream will probably influence materially prices received in the Boston territory. The duty on dried and frozen eggs will affect egg prices in New York, especially in the early spring months and on the grades known as breaking stock. The cheese duty will increase the prices of European types, but this will be of no particular significance to the farmer, as he produces very little of such cheeses. The estimate of a gain of $3,000,000 to producers is based on the receipts of milk and cream at Boston, and of eggs at New York during the first six months of the year. The $9,000,000 cost-to-consumer figure includes increased cost of the products just named as well as the cost of the duty on imported and domestic European cheese.

THE WOOL DUTY.

Roughly speaking, the duty of 31 cents per clean pound is added to the price of wool in our markets. This is equivalent to about 12.7 per grease pound on the average of domestic wools and means an increase of about $37,500,000 in growers' receipts, on the assumption that the farm price will be increased in the same amount as the market price. Further assuming that the exact equivalent of the duty is shifted onto the final

consumer—which is probably more or less than the truth, according to market conditions—the cost to consumers is placed at $91,000,000; that is, 31 cents per pound on the total consumption of scoured wool. The farmer probably consumes his per capita share of wool, and his increased clothing cost is accordingly figured at 30 per cent of the total cost, or $27,300,000.

LIVE STOCK AND MEATS.

Under present conditions import duties on animals and packing-house products can have very little influence on the markets. In the earlier study of the subject it was concluded that the duty on Canadian cattle would probably have some effect on the purely local fluctuations in feeder cattle at St. Paul and slaughter stuff at Buffalo. It has been rather arbitrarily assumed that the operation of the duties will stimulate prices to the extent of one-fourth to one-half a cent a pound in the two markets named and on the particular classes mentioned. From the statistics of feeder movement at St. Paul and slaughter at Buffalo the benefits to producers are computed to be about $1,500,000 and the increased cost to consumers $1,800,000. Consumers of meat locally in the Buffalo market will feel the effect of whatever price increases result there, while the Corn-Belt feeders will shoulder the burden of any increase in cost of feeder cattle at St. Paul. The latter item, therefore, $1,000,000, is charged as a cost to farm consumers.

TOBACCO.

The export and manufacturing types of tobacco, constituting the bulk of the crop, are not subject to tariff influences. Cigar leaf can be but slightly affected because the import cigar tobaccos are of a different quality and not truly competitive. Connecticut wrappers are probably increased substantially in price by the $2.10 duty on Sumatra leaf with which they come in competition. How much the increase may be there is no way of determining. As what is believed to be a reasonable guess, based on general considerations of rates of duty, production, and price quotations, the probable benefit to producers is placed at $10,000,000. As the duty on some 85,000,000 pounds of Cuban Sumatra and Turkish tobaccos imported annually is undoubtedly added to the selling price of cigars and cigarettes, the cost of the tobacco duty to the consumer is much higher than the gain to producers amounting, on the basis of duties assessed, to $53,000,000. Of this 10 per cent is assigned to farmers as consumers of cigars and cigarettes.

OILS AND OIL-BEARING MATERIALS.

Whatever might be the effect of a general tariff against vegetable oils, the law as actually passed can not materially benefit any farm producers save flaxseed growers. The flaxseed duty of 40 cents per bushel will no doubt be genuinely protective.

The effect on prices, however, will be somewhat less than the amount of the duty owing to the drawback privilege whereby crushers secure a refund of a portion of the duty on the exportation of linseed meal or cake made from imported grain. Comparative prices in the United States and Canada over a period of several years indicate that the differential in favor of the American market equals approximately four-fifths of the amount of the duty. This, under the new law, is 32 cents per bushel—as the nominal rate is 40 cents—which on an average production of 11,000,000 bushels gives us $3,500,000 as the apparent benefit to growers. Applying the same rate of increase on the linseed oil consumption of the country the indicated cost is roughly $9,000,000, of which 30 per cent is charged as a cost to farm consumers. It should, perhaps, be noted that while 32 cents per bushel or thereabouts is the effective rate as regards the influence on the flaxseed market, it may not be the effective rate of increase in linseed oil prices. This rate on the seed is equivalent to about 1.7 cents per pound on oil. The actual rate on imported oil is 3.3 cents per pound. If the crushers are able to take advantage of the latter rate, the cost of the duty to consumers will be obviously about twice as much as the above estimate.

MISCELLANEOUS PRODUCTS.

Among the minor farm products are several which will be more or less influenced by the tariff. These include lemons, raisins, almonds, walnuts, clover seed, onions, and hemp. Gross increases in producers' receipts are estimated at $12,500,000. In estimating increases in consumption costs imports not only of these products but of others not commercially produced in this country, such as dates, figs, pineapples, filberts, etc., *must* be taken into consideration. The figure is placed at $22,000,000, taking into consideration production, imports, and rates of duty. Cost to farm consumers is figured at $7,000,000, farmers being small purchasers of most of the commodities under consideration but the sole consumers of clover seed on which they must pay higher prices not only for domestic but for imported seed.

Considering the agricultural schedules as a whole, the estimated gains to producers is $124,800,000, and the cost to farmers as consumers $94,900,000, leaving a net gain to agriculture from the tariff on its own products of $29,700,000. The total of costs to consumers of farm products is $391,900,000. These figures, while admittedly rough, probably approximate the truth.

To estimate the effects of the tariff on the market prices of other commodities, as has been done for agricultural products, is far from a simple matter. It can not be carried out to an unlimited extent by the method which has been followed in the case of farm products; namely, by a detailed analysis of competitive conditions, prices, production, and consumption for all the individual products of all branches of an industry. To undertake such an investigation to determine the effects of the tariff in all industries—manufacturing, mining, and so forth—that operate in the United States would be far beyond the resources of this department; and no adequate inquiry of that character has been made by any agency thus far. Hence if any attempt to estimate in dollars and cents the cost of the tariff to the farmer as a consumer of the products of other industries be made, it must be by recourse to some other method.

QUESTION OF COST TO CONSUMERS.

Several estimates of the cost of the tariff to consumers have been put forth, from which the total cost to farmers might be derived by estimating his share in consumption of dutiable commodities. No particular basis for these estimates seems, however, to be discoverable and they are therefore ignored. The only basis that appears to be available for any reasonably safe estimate of the sort is the cost-to-consumer figure above presented for agricultural products. The cost of such commodities is increased by import duties to the extent of some $392,000,000 according to our estimates. This is a trifle over 2 per cent of the average total value of the output of the farms. It might be assumed that the cost of other products would be increased in like ratio, whereby the increased cost to consumers could be computed. Such an assumption, it is believed, would be a minimum.

The assumption is here made, and the cost is so computed. The average value of gross output of all industries other than agriculture is about $65,000,000,000; applying the ratio ascertained for farm products, the result is $1,323,000,000, which by this computation is the cost of the tariff on other than farm products to American consumers.

FARMERS' SHARE 25 PER CENT.

Now, as to the portion of this tax which falls upon the farmer consumer. In the estimates relating to agricultural products it will be noted that the share of the cost-to-consumers figure allocated to farm consumers is a little under 25 per cent of the total. The 25 per cent share seems reasonable on other grounds. The income of farmers is estimated by the National Bureau of Economic Research as 18 per cent of the national income. Their purchasing power would therefore be 18 per cent of that of the whole country; as purchasers of ordinary consumers' goods at retail, however, they would probably buy close to their per capita share, which is 30 per cent; for a much smaller portion of farm income is spent for railroads, factories, industrial materials, and equipment, in the form of corporate securities, than is true of business profits. Furthermore, consumers' goods, where the farmers' largest purchases lie, are probably more affected by the tariff than are producers' goods, most of which are either on the free list or not susceptible to tariff influences. Moreover, the item of house rent absorbs part of the city man's income.

The farmers' share in the cost of the tariff on other than farm products is therefore placed at 25 per cent of the total, or $331,000,000. Subtracting his net gain on the agricultural schedules, which amounts to $30,000,000, the remainder is $301,000,000, which represents the net cost of the tariff to agriculture. Combining the agricultural and nonagricultural schedules, the figures are, in tabular form, as follows:

Summary of benefits to farmers and minimum cost to consumers.

	Average value of output 1917–1921.	Tariff cost to consumers.	Cost to farm consumers.
Farm products	[1] $19,245,000,000	$392,000,000	$95,000,000
Products of all other industries	[2] 65,000,000,000	1,323,000,000	331,000,000
Total	84,245,000,000	1,715,000,000	426,000,000

[1] U. S. Department of Agriculture. [2] Partly estimated.

Gross cost to farmers	$426,000,000
Gains to farmers as producers	125,000,000
Net cost to agriculture	301,000,000

It is recognized that these figures are liable to a large degree of error. They are, however, based in part on a careful detailed analysis (that relating to farm products) and on a further assumption that seems reasonable as a minimum, namely, that industrial products are affected by the tariff to the same degree as are agricultural products. The chief weakness in the method is in deriving a ratio of cost of the tariff from value of total output, output being taken as roughly indicative of consumption. The figures of gross production contain a large amount of duplication both within the agricultural and industrial groups and between agriculture and industry. Production figures are therefore somewhat ambiguous; but the duplications will offset each other more or less, since they occur in both agricultural and industrial returns. That the estimate is likely to err below rather than above the truth is indicated by two further considerations. First, no allowance has been made in any of our estimates for possible "pyramiding" of duties between producer or importer and final consumer. It is most probably true that the original tariff increment to the price is, in many cases, increased as the goods pass through the channels of trade; this would naturally occur where commodities are handled on commission and, perhaps, to greater or less extent in the ordinary processes of manufacturing, wholesaling, and retailing. It has been estimated by some observers that the cost of import duties is "pyramided" to the extent of two or three fold. Such an assumption seems excessive, and there is no basis of actual measurement; the whole question has been ignored by this department in preparing estimates. In the second place, farm products enter into commerce relatively much less than industrial products.

If the ratio of tariff costs could be based on actual sales instead of gross production, the resulting figure for industrial products would undoubtedly be higher than the one above given.

PENSIONS AND INCREASE OF PENSIONS.

Mr. BURSUM. Mr. President, it seems to me that the Senate ought not to adjourn without at least giving consideration to bills which have been reported out for the relief of the defenders of the country.

Since this omnibus pension bill has been reported I am advised that three of the beneficiaries have died, so that the total number, which originally was 1,117, is now only 1,114. Of course, there may be those who will say that in the interest of economy we ought not to pass this legislation; that by the next Congress all of the 1,117 beneficiaries will have died and the Government will be that much ahead. These veterans and widows are dying at the rate of more than 4,000 a month. These omnibus bills seek to provide for the most needy, the most aged of the veterans who served during the Civil War in defense of their country, and the widows of those who have died. These veterans are poor; they are in needy circumstances; and it seems to me that it is a niggardly policy, it is an unappreciative policy, that will permit the defenders of the country who served us in time of peril to die penniless, or to depend on charity for their existence.

There is no class of people to whom the Nation is more indebted and more obligated than the veterans who served during the Civil War. Of course, the power of Senators by simply making an objection can avail to prevent action; yet yesterday we witnessed here a filibuster, lasting some eight hours, as a protest against the House of Representatives, because two or three leaders in the House, as was alleged, prevented action upon certain legislation which these distinguished Senators favored and thought ought to have a chance; yet here in the Senate, while only one objection has been raised against these bills, there is apparently no opportunity to have them considered.

Members of this body of both parties, representing at least three-fourths of the Senate, have said to me, "We are in favor of passing pension legislation, and especially the omnibus bill, and helping out these old veterans"; yet it has not been possible even to obtain a vote. What fine friends the old veteran has in the Senate, that he can not even get a vote on the consideration of a bill for his relief or for the relief of his widow!

Mr. President, I ask unanimous consent, even at this late hour, to take up and pass House bill 13980, the omnibus pension bill.

Mr. SMOOT. If the Senator asks that it be taken up, I have no objection.

Mr. BURSUM. I ask that it be taken up and considered.

Mr. SMOOT. The Senator said that he wanted it passed.

Mr. BURSUM. I would expect it to pass. Of course, you never can tell what will happen.

The VICE PRESIDENT. Is there objection to proceeding to the consideration of the bill?

Mr. DIAL. I object.

The VICE PRESIDENT. There is objection.

Mr. BURSUM. I now move that we proceed to the consideration of House bill 13980.

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

Mr. BURSUM. I demand a roll call.

Mr. HEFLIN. The Senator from South Carolina suggests the absence of a quorum.

The VICE PRESIDENT. The Secretary will call the roll.

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

Ashurst	France	Lenroot	Reed, Pa.
Ball	Frelinghuysen	Lodge	Robinson
Bayard	George	McCormick	Sheppard
Brandegee	Gerry	McCumber	Shields
Brookhart	Glass	McKellar	Shortridge
Broussard	Gooding	McKinley	Smith
Bursum	Hale	McLean	Smoot
Calder	Harreld	McNary	Spencer
Cameron	Harris	Moses	Stanley
Capper	Harrison	Myers	Sterling
Caraway	Heflin	New	Sutherland
Colt	Hitchcock	Norbeck	Swanson
Couzens	Johnson	Norris	Townsend
Cummins	Jones, N. Mex.	Oddie	Wadsworth
Curtis	Jones, Wash.	Overman	Walsh, Mass.
Dial	Kendrick	Page	Warren
Dillingham	Keyes	Pepper	Watson
Edge	King	Phipps	Weller
Ernst	Ladd	Pittman	Willis
Fernald	La Follette	Pomerene	

Mr. HARRISON. Mr. President, I desire to announce that the senior Senator from Florida [Mr. FLETCHER] has been unavoidably detained from the Senate since Wednesday on account of illness.

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

Mr. WARREN. I ask the Senator to yield to me two or three minutes for the purpose of alluding to something in the RECORD this morning.

Mr. BURSUM. I yield.

MESSAGE FROM THE HOUSE.

A message from the House of Representatives, by Mr. Overhue, its enrolling clerk, announced that the House had agreed to a resolution (H. Res. 577) for the appointment, by the Speaker pro tempore of the House, of a committee of three members to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

ENROLLED JOINT RESOLUTION SIGNED.

The message also announced that the Speaker pro tempore of the House had signed the enrolled joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924, and it was thereupon signed by the Vice President.

PRESIDENTIAL APPROVALS.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed the following acts and joint resolutions:

On March 3, 1923:

S. 574. An act to amend an act entitled "An act to save daylight and to provide standard time for the United States," as amended;

S. 1076. An act establishing standard grades of naval stores, preventing deception in transactions in naval stores, regulating traffic therein, and for other purposes;

S. 2703. An act to allow the printing and publishing of illustrations of foreign postage and revenue stamps from defaced plates;

S. 3123. An act to amend section 1 of the act entitled "An act providing for the location and purchase of public lands for reservoir sites," approved January 13, 1897, as amended;

S. 3892. An act authorizing the State of California to bring suit against the United States to determine title to certain lands in Siskiyou County, Calif.;

S. 4122. An act granting the consent of Congress to the Interstate Toll Bridge Co. for construction of a bridge across Red River between Montague County, Tex., and Jefferson County, Okla.;

S. 4146. An act permitting the State of Wyoming to reconvey certain lands to the United States and select other lands in lieu thereof, and providing for the patenting of certain lands to Natrona County, Wyo., for public-park purposes;

S. 4211. An act authorizing preliminary examination and survey to be made of the intracoastal waterway in Louisiana and Texas;

S. 4235. An act granting consent of Congress to the Charlie Bridge Co. for construction of a bridge across Red River between Clay County, Tex., and Cotton County, Okla.;

S. 4387. An act to authorize the building of a bridge across the Tugaloo River between South Carolina and Georgia;

S. 4469. An act to extend the time for the construction of a bridge or bridges and trestles over the navigable channels of the mouth of the Mobile River in the State of Alabama;

S. 4536. An act to authorize the building of a bridge across the Peedee River in South Carolina;

S. 4548. An act declaring Bear Creek in Humphreys, Leflore, and Sunflower Counties, Miss., to be a nonnavigable stream;

S. 4552. An act to incorporate the Belleau Wood Memorial Association;

S. 4579. An act to authorize the Lee County bridge district No. 2, in the State of Arkansas, to construct a bridge over the St. Francis River;

S. 4583. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Charles Mix County and Gregory County, S. Dak.; and

S. J. Res. 240. Joint resolution authorizing the erection on public grounds of a memorial to the late Joseph J. Darlington.

On March 4, 1923:

S. 425. An act authorizing the Attorney General of the United States to fix the salaries of United States attorneys and United States marshals of the several judicial districts of the United States within certain limits;

S. 2051. An act to amend section 3142 of the Revised Statutes to permit an increase in the number of collection districts for the collection of internal revenue and in the number of collectors of internal revenue from 64 to 65;

S. 2984. An act for the relief of Thurston W. True;

S. 3424. An act to provide for the reclamation of the United States military reservation, Fort De Russy, Honolulu, Hawaii;

S. 3580. An act to extend the time for the construction of a bridge across the Red River of the North at or near the city of Pembina, N. Dak.;

S. 4117. An act authorizing the closing of certain portions of Grant Road in the District of Columbia, and for other purposes;

S. 4160. An act to amend the act of Congress entitled "An act to establish a commission for the purpose of securing information in connection with questions relative to interstate commerce in coal, and for other purposes," approved September 22, 1922;

S. 4197. An act to authorize the Secretary of the Interior to issue to certain persons and certain corporations permits to explore, or leases of, certain lands that lie south of the medial line of the main channel of Red River in Oklahoma, and for other purposes;

S. 4216. An act authorizing the sale of real property no longer required for military purposes;

S. 4245. An act to provide the necessary organization of the customs service for an adequate administration and enforcement of the tariff act of 1922 and all other customs revenue laws;

S. 4280. An act to provide additional credit facilities for the agricultural and live-stock industries of the United States; to amend the Federal farm loan act; to amend the Federal reserve act; and for other purposes;

S. 4322. An act for the relief of the owners of the barge *Havana;*

S. 4503. An act granting the consent of Congress to Bethlehem Steel Co. to construct a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4592. An act granting consent of Congress to the Eagle Pass & Piedras Negras Bridge Co. for construction of a bridge across the Rio Grande between Eagle Pass, Tex., and Piedras Negras, Mexico;

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 4631. An act granting the consent of Congress to the counties of Bowie and Cass, State of Texas, for construction of a bridge across Sulphur River, at or near Paces Ferry, in said counties and State;

S. 4637. An act for the relief of certain disbursing agents under the Department of Commerce;

S. 4638. An act authorizing the Great Northern Railway Co. to maintain and operate, or reconstruct, maintain, and operate, its bridge across the Columbia River at Marcus, in the State of Washington; and

S. J. Res. 282. Joint resolution to amend the resolution of December 29, 1920, entitled "Joint resolution to create a joint committee on the reorganization of the administrative branch of the Government."

STATEMENT OF APPROPRIATIONS.

Mr. WARREN. Mr. President, this morning when I took up the RECORD my attention was called to some figures submitted by the senior Senator on the minority side of the Committee on Appropriations [Mr. OVERMAN] respecting appropriations of 1923 and 1924, and also appropriations dating back to 1915. It is usual in long sessions for the Committee on Appropriations to present to the Senate and to have inserted in the RECORD a full showing of all direct appropriations.

I thank the Senator from New Mexico for yielding.

Mr. President, I ask to have the following tables inserted as a part of my remarks. Table 1 compares the appropriations of fiscal years 1923 and 1924. Table 2 compares the Budget estimates and appropriations, fiscal year 1924. Table 3 compares Budget estimates and appropriations, deficiency and supplemental, fiscal year 1923 and prior fiscal years. Table 4 is a recapitulation of comparisons of Budget estimates and appropriations, and Table 5 is a chronological history of regular annual and deficiency appropriation bills.

The following gratifying results are shown:

The total appropriations for fiscal year 1924 are $233,802,504.60 less than same for fiscal year 1923.

The Budget estimates for fiscal year 1924 have been reduced $7,825,118.07, and for 1923 and prior years the sum of $2,918,640.20; in all, $10,743,758.27.

The reduction of the total appropriations for 1924, as compared with 1923, in the sum of $233,802,504.60 is most welcome information for the taxpayers of this country. This result has been achieved by painstaking cooperation on the part of all concerned. In a letter of April 26, 1921, to President Harding I suggested that "the one thing leading most directly to desired results in economy is teamwork between the legislative and executive branches of the Government."

This satisfactory result could not have been accomplished without strenuous teamwork. The executive departments, the Budget Bureau, the Committee on Appropriations of the House of Representatives, the House of Representatives, the Committee on Appropriations of the Senate, the Senate, and finally the President—all these have had their part, and all have given to their country their best efforts; hence a good result. It is pleasant to say that there has been no ill feeling or prejudice between any of the above-named. In the very nature of things there will be differences of opinion among men, but none so strong that reasoning, conciliation, and compromise can not overcome them as to national finances.

The reductions in supply bills for the fiscal year 1924 have been so made that no legitimate function of the Government will suffer. Notwithstanding the reductions made, there has been appropriated as follows: $1,295,097,000 for the interest on the public debt and public-debt redemption funds; $428,160,773 for the Veterans' Bureau to care for the needs of the veterans of the World War; $253,000,000 for Army and Navy pensions for soldiers of the Civil War and other wars; $70,532,060 for rivers and harbors, flood control, and Muscle Shoals improvement; $50,411,500 for the United States Shipping Board; and $34,050,000 for the construction of roads.

Criticism of deficiency appropriations made at this session is not warranted. The first, second, and third deficiency acts appropriated $233,492,526.37—largely the results of war. The greater portion of this sum went for purposes authorized by law and over which Congress had no discretion. For example, $121,105,000 for refunding taxes illegally collected; $25,000,000 for the cooperative construction of rural post roads; $20,950,000 for scrapping naval vessels; $16,000,000 for Army and Navy pensions on account of monthly payment of pensions; $13,235,000 for military and naval insurance, Veterans' Bureau; $5,842,483.08 for judgments, audited claims, court awards, and damage claims; and $2,595,793.87 to carry out new laws and treaties. The seven items above enumerated amount to $204,728,276.95. Deducting this sum, there remain deficiencies amounting to $28,764,249.42. Of this sum $12,108,013.58 was appropriated for the Postal Service and made payable out of

postal revenues, and made necessary by the increased volume of business, and $6,500,000 for changes in range of turret guns of certain battleships permissible under the terms of the treaty providing for the limitation of naval armament. Deducting these two items, there remains but $10,156,235.84 for real deficiencies, which is comparatively a very small amount.

A glance at Table 5, the chronological history of regular annual and deficiency appropriation bills, shows the appropriations have never been handled so early nor in such a systematic and expeditious manner. The Budget law has demonstrated its worth. It helps separate the chaff from the grain. It gives accuracy, as well as integrity, to estimates, which results in less work on the part of Congress. Under the old system congressional committees were obliged to spend a great amount of time on extravagant and questionable estimates. In fact, meritorious estimates are never the cause of great contention. Now, that estimates mean something, the work of all is accelerated.

TABLE I.—*Comparison of appropriations by departments and establishments, fiscal years 1923 and 1924.*

[Amounts carried for each of these years in regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

	Appropriations, fiscal year 1923.	Appropriations, fiscal year 1924.	Decrease (−) or increase (+) 1924 compared with 1923.
Legislative branch:			
Regular annual	$13,122,664.30	$12,715,971.60	−$406,692.70
Increased compensation	1,694,356.00	1,705,140.00	+10,784.00
Permanent and indefinite	800.00	800.00	.....
Total	14,817,820.30	14,421,911.60	−395,908.70
Executive Office and independent offices:			
Regular annual—			
Shipping Board	100,459,000.00	50,411,500.00	−50,047,500.00
Veterans' Bureau	431,298,843.45	428,160,773.00	−3,138,070.45
Executive and other independent offices	21,021,403.93	18,062,098.00	−2,959,305.93
Increased compensation	5,527,342.00	4,916,192.00	−611,150.00
Total	558,306,589.38	501,550,563.00	−56,756,026.38
Permanent and indefinite	6,017,000.00	6,511,495.74	+494,495.74
Total	564,323,589.38	508,062,058.74	−56,261,530.64
Agricultural Department:			
Regular annual—			
Department proper	37,524,153.00	37,236,653.00	−287,500.00
Increased compensation	3,232,863.00	3,304,800.00	+71,937.00
Roads, construction of	35,000,000.00	32,300,000.00	−2,700,000.00
Permanent and indefinite	12,250,000.00	12,220,000.00	−30,000.00
Total	88,007,016.00	85,061,453.00	−2,945,563.00
Commerce, Department of:			
Regular annual	19,509,335.36	19,377,045.00	−132,290.36
Increased compensation	1,835,159.00	1,958,956.00	+123,797.00
Permanent and indefinite	3,000.00	3,000.00	.....
Total	21,347,494.36	21,339,001.00	−8,493,36
Interior, Department of:			
Regular annual—			
Pensions	[a] 270,423,206.67	254,774,660.00	−15,648,546.67
Interior Department, proper	43,639,960.62	39,900,040.00	−3,739,920.62
Increased compensation	2,803,092.00	2,845,309.00	+42,217.00
Permanent and indefinite	27,499,000.00	28,349,500.00	+850,500.00
Total	344,365,259.29	325,869,509.00	−18,495,750.29
Justice, Department of, and judiciary:			
Regular annual	21,813,780.78	18,421,056.00	−3,392,724.78
Increased compensation	775,884.00	875,000.00	+99,116.00
Total	22,589,664.78	19,296,056.00	−3,293,608.78
Labor, Department of:			
Regular annual	6,923,476.11	6,918,556.00	−4,920.11
Increased compensation	566,832.00	566,640.00	−192.00
Permanent and indefinite	.....	25,000.00	+25,000.00
Total	7,490,308.11	7,510,196.00	+19,887.89
Navy, Department of:			
Regular annual	[b] 321,863,512.16	294,456,528.00	−27,406,984.16
Increased compensation	537,120.00	510,672.00	−26,448.00
Permanent and indefinite	3,433,672.00	2,130,050.00	−1,303,622.00
Total	325,834,304.16	297,097,250.00	−28,737,054.16

[a] Includes $16,000,000 on account of the change from quarterly to monthly payments of pensions.

[b] Includes $20,950,000 for scrapping of naval vessels in conformity with the provisions of the treaty limiting naval armament and also includes $6,500,000 for increasing the range of the turret guns of certain battleships.

TABLE I.—*Comparison of appropriations by departments and establishments, fiscal years 1923 and 1924*—Continued.

	Appropriations, fiscal year 1923.	Appropriations, fiscal year 1924.	Decrease (−) or increase (+) 1924 compared with 1923.
Post Office Department:			
Payable from the postal revenues—			
Regular annual	$573, 079, 833. 21	$584, 872, 991. 50	+$11, 793, 158. 29
Increased compensation	352, 800. 00	337, 248. 00	−15, 552. 00
Payable from other Federal revenues—			
Increased compensation	12, 000. 00	11, 520. 00	−480. 00
Total	573, 444, 633. 21	585, 221, 759. 50	+11, 777, 126. 29
State Department:			
Regular annual	10, 875, 710. 95	15, 066, 665. 50	+4, 190, 954. 55
Increased compensation	144, 000. 00	134, 000. 00	−10, 000. 00
Permanent and indefinite	106, 000. 00	106, 000. 00	.....
Total	11, 125, 710. 95	15, 306, 665. 50	+4, 180, 954. 55
Treasury Department:			
Regular annual	119, 929, 941. 65	115, 410, 510. 37	−4, 519, 431. 28
Increased compensation	10, 724, 326. 00	10, 749, 292. 00	+24, 966. 00
Permanent and indefinite—			
Interest on public debt	[a] 1, 100, 000, 000. 00	950, 000, 000. 00	−150, 000, 000. 00
Public debt redemption funds	330, 088, 800. 00	345, 097, 000. 00	+15, 008, 200. 00
All other	31, 058, 110. 63	31, 055, 093. 41	−3, 017. 22
Total	1, 591, 801, 178. 28	1, 452, 311, 895. 78	−139, 489, 282. 50
War Department:			
Military—			
Regular annual	262, 088, 388. 52	251, 250, 231. 00	−10, 838, 157. 52
Permanent and indefinite	1, 250, 000. 00	900, 000. 00	−350, 000. 00
Total, military	263, 338, 388. 52	252, 150, 231. 00	−11, 188 157. 52
Nonmilitary—			
Regular annual	69, 824, 523. 00	85, 096, 973. 00	+15, 272, 450. 00
Permanent and indefinite	6, 521, 300. 00	5, 843, 321. 00	−677, 979. 00
Total, nonmilitary	76, 345, 823. 00	90, 940, 294. 00	+14, 594, 471. 00
Total, War Department—			
Regular annual	331, 912, 911. 52	336, 347, 204. 00	+4, 434, 292. 48
Increased compensation	8, 831, 958. 00	6, 102, 057. 00	−2, 729, 901. 00
Permanent and indefinite	7, 771, 300. 00	6, 743, 321. 00	−1, 027, 979. 00
Total	348, 516, 169. 52	349, 192, 582. 00	+676, 412. 48
District of Columbia:			
Regular annual	23, 365, 684. 47	22, 778, 915. 00	−586, 769. 47
Increased compensation	1, 697, 441. 00	1, 795, 067. 00	+197, 626. 00
Permanent and indefinite	1, 624, 600. 00	1, 512, 843. 00	−11, 757. 00
Total	26, 687, 725. 47	26, 086, 825. 00	−600, 900. 47
Miscellaneous (unclassified)	228, 793. 91	.....	−228, 793. 91
Grand total:			
Regular annual	2, 381, 763, 418. 18	2, 287, 211, 166. 97	−94, 552, 251. 21
Increased compensation	38, 735, 173. 00	35, 811, 893. 00	−2, 923, 280. 00
Permanent and indefinite	1, 519, 852, 282. 63	1, 383, 754, 103. 15	−136, 098, 179. 48
Miscellaneous (unclassified)	228, 793. 91	.....	−228, 793. 91
Grand total	3, 940, 579, 667. 72	3, 706, 777, 163. 12	−233, 802, 504. 60
Less sum payable from postal revenues	573, 432, 633. 21	585, 210, 239. 50	+11, 777, 606. 29
Total, exclusive of sum payable from postal revenues	3, 367, 147, 034. 51	3, 121, 566, 923. 62	−245, 580, 110. 89

[a] Includes $125,000,000 for discount accruals on war savings securities due Jan. 1, 1923.

MARCH 14, 1923.

TABLE II.—*Comparison of Budget estimates and appropriations, fiscal year 1924.*

[The appropriations for 1924 include amounts carried for fiscal year 1924 in regular annual appropriation acts, deficiency appropriation acts, special acts, and amounts estimated under permanent and indefinite appropriations.]

Department or establishment.	Budget estimates submitted Dec. 4, 1922.	Supplemental Budget estimates submitted Dec. 4, 1922, to Mar. 4, 1923.	Total Budget estimates, fiscal year 1924.	Appropriations, 1924, regular annual and permanent and indefinite.	Increase (+) or decrease (−) appropriations compared with estimates.
Legislative branch:					
Regular annual	$12,706,856.60	$960,655.00	$13,667,511.60	$12,715,971.60	−$951,540.00
Increased compensation	1,711,256.00	.....	1,711,256.00	1,705,140.00	−6,116.00
Permanent and indefinite	800.00	.....	800.00	800.00	.....
Total	14,418,912.60	960,655.00	15,379,567.60	14,421,911.60	−957,656.00
Executive office and independent offices:					
Regular annual—					
Shipping Board	50,411,500.00	.....	50,411,500.00	50,411,500.00	.....
Veterans' Bureau	440,313,000.00	.....	440,313,000.00	428,160,773.00	−12,152,227.00
Executive and other independent offices	17,616,513.00	58,350.00	17,674,863.00	18,062,098.00	+387,235.00
Increased compensation	.....	4,911,912.00	4,911,912.00	4,916,192.00	+4,280.00
Total	508,341,013.00	4,970,262.00	513,311,275.00	501,550,563.00	−11,760,712.00
Permanent and indefinite	6,511,495.74	.....	6,511,495.74	6,511,495.74	.....
Total	514,852,508.74	4,970,262.00	519,822,770.74	508,062,058.74	−11,760,712.00
Agricultural Department:					
Regular annual—					
Department proper	36,031,613.00	.....	36,031,613.00	37,236,653.00	+1,205,040.00
Increased compensation	.....	3,341,800.00	3,341,800.00	3,304,800.00	−37,000.00
Roads, construction of	33,000,000.00	.....	33,000,000.00	32,300,000.00	−700,000.00
Permanent and indefinite	12,220,000.00	.....	12,220,000.00	12,220,000.00	.....
Total	81,251,613.00	3,341,800.00	84,593,413.00	85,061,453.00	+468,040.00
Commerce, Department of:					
Regular annual	19,712,535.00	7,500.00	19,720,035.00	19,377,045.00	−342,990.00
Increased compensation	.....	1,958,956.00	1,958,956.00	1,958,956.00	.....
Permanent and indefinite	3,000.00	.....	3,000.00	3,000.00	.....
Total	19,715,535.00	1,966,456.00	21,681,991.00	21,339,001.00	−342,990.00
Interior, Department of:					
Regular annual—					
Pensions	255,082,060.00	.....	255,082,060.00	254,774,660.00	−307,400.00
Interior Department proper	40,276,192.00	.....	[a] 40,276,192.00	39,900,040.00	−376,152.00
Increased compensation	.....	2,918,309.00	2,918,309.00	2,845,309.00	−73,000.00
Permanent and indefinite	28,349,500.00	.....	28,349,500.00	28,349,500.00	.....
Total	323,707,752.00	2,918,309.00	326,626,061.00	325,869,509.00	−756,552.00
Justice, Department of, and judiciary:					
Regular annual	18,751,056.00	600.00	18,751,656.00	18,421,056.00	330,600.00
Increased compensation	.....	827,000.00	827,000.00	875,000.00	+48,000.00
Total	18,751,056.00	827,600.00	19,578,656.00	19,296,056.00	−282,600.00
Labor, Department of:					
Regular annual	6,178,556.00	.....	6,178,556.00	6,918,556.00	+740,000.00
Increased compensation	.....	566,640.00	566,640.00	566,640.00	.....
Permanent and indefinite	25,000.00	.....	25,000.00	25,000.00	.....
Total	6,203,556.00	566,640.00	6,770,196.00	7,510,196.00	+740,000.00
Navy, Department of:					
Regular annual	294,803,975.00	.....	294,803,975.00	294,456,528.00	−347,447.00
Increased compensation	.....	510,672.00	510,672.00	510,672.00	.....
Permanent and indefinite	2,130,050.00	.....	2,130,050.00	2,130,050.00	.....
Total	296,934,025.00	510,672.00	297,444,697.00	297,097,250.00	−347,447.00

[a] This sum is $7,500,000 more than the amount stated in the Budget. The difference arises under the Reclamation Service. The Budget does not include in the 1924 totals the amount for that service estimated to be funded from repayments to the reclamation fund ($7,500,000). As previous estimates and appropriations are computed on the basis of including such funding from repayments, it is confusing not to add that sum to the total for 1924, otherwise the Reclamation Service will show apparent reductions for 1924 under 1923 and prior years that are not actual.

TABLE II.—*Comparison of Budget estimates and appropriations, fiscal year 1924*—Continued.

Department or establishment.	Budget estimates submitted Dec. 4, 1922.	Supplemental Budget estimates submitted Dec. 4, 1922, to Mar. 4, 1923.	Total Budget estimates, fiscal year 1924.	Appropriations, 1924, regular annual and permanent and indefinite.	Increase (+) or decrease (−) appropriations compared with estimates.
Post Office Department:					
Payable from postal revenues—					
Regular annual	$590, 166, 191. 50	.....	$590, 166, 191. 50	$584, 872, 991. 50	−$5, 293, 200. 00
Increased compensation	.....	$337, 248. 00	337, 248. 00	337, 248. 00	.....
Payable from other Federal revenues—					
Increased compensation	.....	11, 520. 00	11, 520. 00	11, 520. 00	.....
Total	590, 166, 191. 50	348, 768. 00	590, 514, 959. 50	585, 221, 759. 50	−5, 293, 200. 00
State Department:					
Regular annual	14, 952, 237. 79	231, 800. 00	15, 184, 037. 79	15, 066, 665. 50	−117, 372. 29
Increased compensation	.....	134, 000. 00	134, 000. 00	134, 000. 00	.....
Permanent and indefinite	106, 000. 00	.....	106, 000. 00	106, 000. 00	.....
Total	15, 058, 237. 79	365, 800. 00	15, 424, 037. 79	15, 306, 665. 50	−117, 372. 29
Treasury Department:					
Regular annual	117, 833, 768. 87	.....	117, 833, 768. 87	115, 410, 510. 37	−2, 423, 258. 50
Increased compensation	.....	10, 789, 292. 00	10, 789, 292. 00	10, 749, 292. 00	−40, 000. 00
Permanent and indefinite—					
Interest on public debt	950, 000, 000. 00	.....	950, 000, 000. 00	950, 000, 000. 00	.....
Public debt redemption funds	345, 097, 000. 00	.....	345, 097, 000. 00	345, 097, 000. 00	.....
All other	31, 055, 093. 41	.....	31, 055, 093. 41	31, 055, 093. 41	.....
Total	1, 443, 985, 862. 28	10, 789, 292. 00	1, 454, 775, 154. 28	1, 452, 311, 895. 78	−2, 463, 258. 50
War Department:					
Military—					
Regular annual	263, 384, 200. 00	.....	263, 384, 200. 00	251, 250, 231. 00	−12, 133, 969. 00
Permanent and indefinite	900, 000. 00	.....	900, 000. 00	900, 000. 00	.....
Total, military	264, 284. 200. 00	.....	264, 284, 200. 00	252, 150, 231. 00	−12, 133, 969. 00
Nonmilitary—					
Regular annual	56, 389, 779. 28	.....	56, 389, 779. 28	[a] 85, 096, 973. 00	+28, 707, 193. 72
Permanent and indefinite	5, 843, 321. 00	.....	5, 843, 321. 00	5, 843, 321. 00	.....
Total, nonmilitary	62, 233, 100. 28	.....	62, 233, 100. 28	90, 940, 294. 00	+28, 707, 193. 72
Total, War Department—					
Regular annual	319, 773, 979. 28	.....	319, 773, 979. 28	336, 347, 204. 00	+16, 573, 224. 72
Increased compensation	.....	8, 599, 437. 00	8, 599, 437. 00	6, 102, 057. 00	−2, 497, 380. 00
Permanent and indefinite	6, 743, 321. 00	.....	6, 743, 321. 00	6, 743, 321. 00	.....
Total	326, 517, 300. 28	8, 599, 437. 00	335, 116, 737. 28	349, 192, 582. 00	+14, 075, 844. 72
District of Columbia:					
Regular annual	23, 531, 130. 00	20, 000. 00	23, 551, 130. 00	22, 778, 915. 00	−772, 215. 00
Increased compensation	.....	1, 810, 067. 00	1, 810, 067. 00	1, 795, 067. 00	−15, 000. 00
Permanent and indefinite	1, 512, 843. 00	.....	1, 512, 843. 00	1, 512, 843. 00	.....
Total	25, 043, 973. 00	1, 830, 067. 00	26, 874, 040. 00	26, 086, 825. 00	−787, 215. 00
Grand total:					
Regular annual	2, 291, 141, 164. 04	1, 278, 905. 00	2, 292, 420, 069. 04	2, 287, 211, 166. 97	−5, 208, 902. 07
Permanent and indefinite	1, 383, 754, 103. 15	.....	1, 383, 754, 103. 15	1, 383, 754, 103. 15	.....
Increased compensation	1, 711, 256. 00	36, 716, 853. 00	38, 428, 109. 00	35, 811, 893. 00	−2, 616, 216. 00
Grand total	3, 676, 606, 523. 19	37, 995, 758. 00	3, 714, 602, 281. 19	3, 706, 777, 163. 12	−7, 825, 118. 07
Less Post Office (payable from postal revenues)	590, 166, 191. 50	337, 248. 00	590, 503, 439. 50	585, 210, 239. 50	−5, 293, 200. 00
Total, exclusive of Post Office	3, 086, 440, 331. 69	37, 658, 510. 00	3, 124, 098, 841. 69	3, 121, 566, 923. 62	−2, 531, 918. 07

[a] Includes $28,964,150 in excess of the Budget estimates for rivers and harbors.

MARCH 14, 1923.

TABLE III.—*Comparison of Budget estimates and appropriations, deficiency and supplemental, fiscal year 1923 and prior fiscal years.*

[Amounts considered and appropriated in deficiency appropriation acts approved Sept. 22, 1922, Jan. 22, 1923, and Mar. 4, 1923.]

Department or establishment.	Budget estimates, fiscal year 1923 and prior fiscal years, submitted from July 9, 1922, to Mar. 4, 1923.	Deficiency and supplemental appropriations made from July 9, 1922, to Mar. 4, 1923.	Increase (+) or decrease (−), appropriations compared with estimates.
Legislative	$341,572.72	$360,516.32	+$18,943.60
Executive and Independent Offices	14,954,819.65	14,992,437.65	+37,618.00
Agriculture	25,652,608.06	25,597,608.06	−55,000.00
Commerce	774,528.74	768,903.74	−5,625.00
Interior	17,794,334.59	17,632,805.84	−161,528.75
Justice	4,804,332.57	4,541,408.04	−262,924.53
Labor	8,761.44	7,601.86	−1,159.58
Navy	28,181,476.71	28,181,476.71	.....
Post Office	14,102,113.58	12,108,013.58	−1,994,100.00
State	429,351.34	589,361.03	+160,009.69
Treasury	122,683,887.04	122,338,382.09	−345,504.95
War	6,073,895.40	5,834,700.23	−239,195.17
District of Columbia	609,484.73	539,311.22	−70,173.51
Total	236,411,166.57	233,492,526.37	−2,918,640.20

MARCH 14, 1923.

TABLE IV.—*Recapitulation of comparisons of Budget estimates and appropriations.*

Net reduction in Budget estimates for the fiscal year 1924	$7,825,118.07
Reduction in Budget estimates for the fiscal year 1923 and prior fiscal years	2,918,640.20
Total net reduction	10,743,758.27

MARCH 14, 1923.

TABLE V.—*Chronological history of regular annual and deficiency appropriation bills, Sixty-seventh Congress, second session (July 9 to Sept. 22, 1922), third session (Nov. 20 to Dec. 4, 1922), and fourth session (Dec. 4, 1922, to Mar. 4, 1923).*

Title of the acts.	Reported to the House.		Passed the House.		Reported to the Senate.		Passed the Senate.		Law.	
	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.	Date.	Amount.
REGULAR ANNUAL BILLS.										
Agricultural Department	1922. Dec. 18	$68,781,553.00	1923. Jan. 2	$69,068,053.00	1923. Jan. 6	$72,901,653.00	1923. Jan. 13	$73,741,653.00	1923. Feb. 26	$69,536,653.00
Commerce and Labor Departments	Dec. 11	25,779,101.00	1922. Dec. 13	26,079,101.00	1922. Dec. 14	25,979,601.00	1922. Dec. 15	26,346,101.00	Jan. 5	26,295,601.00
District of Columbia	1923. Jan. 4	22,624,895.00	1923. Jan. 8	22,078,607.00	1923. Jan. 20	22,244,485.00	1923. Jan. 25	24,469,985.00	Feb. 28	22,778,915.00
Independent offices	Jan. 6	496,235,771.00	Jan. 12	496,235,771.00	Jan. 16	497,711,371.00	Jan. 22	498,333,556.00	Feb. 13	496,634,371.00
Interior Department	1922. Dec. 22	294,264,700.00	Jan. 3	294,346,400.00	Jan. 5	294,709,400.00	Jan. 5	294,757,400.00	Jan. 24	294,674,700.00
Legislative establishment	1923. Jan. 19	12,603,376.60	Jan. 22	12,601,326.60	Jan. 25	12,703,931.60	Jan. 25	12,706,071.60	Feb. 20	12,706,071.60
Navy Department	1922. Dec. 13	293,806,538.00	1922. Dec. 18	293,806,538.00	1922. Dec. 21	295,604,378.00	1922. Dec. 30	295,604,378.00	Jan. 22	294,456,528.00
Post Office Department	Dec. 28	584,614,191.50	1923. Jan. 3	584,614,191.50	1923. Jan. 11	585,064,191.50	1923. Jan. 13	585,222,991.50	Feb. 14	584,872,991.50
State and Justice Departments	Dec. 7	33,188,151.50	1922. Dec. 12	33,185,051.50	1922. Dec. 13	33,471,008.00	1922. Dec. 14	33,488,708.00	Jan. 3	33,250,421.50
Treasury Department	Dec. 6	115,119,810.37	Dec. 9	115,112,310.37	Dec. 12	115,533,410.37	Dec. 12	115,538,190.37	...do.....	115,386,510.37
War Department	1923. Jan. 12	314,064,294.00	1923. Jan. 19	333,654,204.00	1923. Jan. 29	340,341,396.28	1923. Feb. 9	340,443,896.28	Mar. 2	336,347,204.00
Total, regular annual bills	.....	2,261,082,381.97	.....	2,280,781,553.97	.....	2,296,264,825.75	.....	2,300,652,930.75	.....	2,286,939,966.97
DEFICIENCY BILLS.										
First, 1923	1922. Sept. 18	560,688.08	1922. Sept. 19	560,688.08	1922. Sept. 21	2,346,642.15	1922. Sept. 22	2,831,742.15	1922. Sept. 22	2,454,210.09
Second, 1923	Dec. 30	74,645,674.06	1923. Jan. 4	74,690,174.06	1923. Jan. 6	74,925,009.14	1923. Jan. 8	75,025,201.31	1923. Jan. 22	74,925,774.14
Third, 1923	1923. Feb. 22	153,804,843.68	Feb. 26	154,582,240.35	Feb. 28	156,780,772.45	Mar. 1	156,835,086.46	Mar. 4	156,359,742.14
Total, deficiency bills	.....	229,011,205.82	.....	229,833,102.49	.....	234,052,423.74	.....	234,692,029.92	.....	233,739,726.37
Total, regular and deficiency bills	.....	2,490,093,587.79	.....	2,510,614,656.46	.....	2,530,317,249.49	.....	2,535,344,960.67	.....	2,520,679,693.34

MARCH 14, 1923.

The PRESIDING OFFICER (Mr. MOSES in the chair). The question is on agreeing to the motion of the Senator from New Mexico.

Mr. BURSUM. Mr. President, we now have just eight minutes, according to the clock. I hope there is no Member of this body with soul so dead, and who is possessed of such a cruel heart, that he will be willing to engage in a filibuster for the remaining eight minutes in order to prevent the veterans of the Civil War and their widows from obtaining the relief which would be accorded them under this bill.

Mr. OVERMAN. Mr. President, I am glad the distinguished and able Senator from Wyoming admits that the figures I have put in the RECORD are correct. I ask each Senator to examine those figures, which he will find in the RECORD, giving the figures which have been certified as correct. I want to say that the clerks did not prepare them; I prepared them myself and sent them to the clerks to verify, and they have been verified. They extend back to three years before the war and three years since the war, and, deducting all those appropriations which have grown out of the war, this Congress has spent $512,000,000 more than we spent in 1915.

Mr. WARREN. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Carolina yield to the Senator from Wyoming?

Mr. OVERMAN. I yield.

Mr. WARREN. The Senator did not state, and, of course, it was not his purpose to state, the fact that the income has also increased. For instance, the Senator has referred to the expenditure of $600,000,000 for the Post Office Department, or such a matter, but the income and the earnings of this department have very largely increased. Again, in the matter of internal-revenue taxation, these deficiency appropriation bills have contained between $150,000,000 and $200,000,000 in repayments, or to provide for future repayments, of illegally collected taxes. In the meantime we have been collecting more than a billion dollars of taxes that were uncollected in former years. So that the income is keeping pace with and is really a great deal more than the outgo.

Mr. OVERMAN. Mr. President, the figures and facts as certified to me by the Bureau of Efficiency, a Republican bureau, show that the expenses for this year exceeded the expenses of 1915 by more than a billion dollars, but in fairness I have deducted all those appropriations growing out of the war, still leaving an excess of appropriations of $512,000,000.

Mr. McCORMICK. Mr. President, I am told that the objections which were made to certain Senate resolutions on yesterday will be withdrawn. Therefore I ask unanimous consent for the consideration of Senate Resolution 427——

Mr. BURSUM. I call for the regular order.

The VICE PRESIDENT. The regular order is the motion to take up House bill 13980.

Mr. McCUMBER. Also Senate Resolution 437, providing for assistant clerks to the Committee to Audit and Control the Contingent Expenses of the Senate and the Committee on the District of Columbia.

Mr. McKELLAR. I was one of those who objected, and I withdraw the objection, and hope the resolution will pass.

Mr. BURSUM. I call for the regular order. I object.

The VICE PRESIDENT. There is objection.

Mr. SMOOT. Mr. President, the Senator from North Carolina has not in his figures made note of the fact that since 1915 we appropriate each year over $500,000,000 for the wounded and disabled veterans of the World War. That does not appear in the figures, so that the people of the country could know it. I may add, Mr. President——

Mr. OVERMAN. The Senator is wrong, as he usually is when he talks about figures. I did deduct $500,000,000. The Senator is a great juggler with figures. [Laughter.] I take that back. All I ask the Senator to do is to take these figures, and take a speech I made a few years ago, in which I did deduct all the war-veteran appropriations, and the Senator will agree with me that every figure I have given is accurate, because the clerks of the committee and the Bureau of Efficiency have certified that they are accurate.

Mr. SMOOT. All I can say is this——

Mr. CARAWAY. Will the Senator from North Carolina yield to me?

Mr. SMOOT. He has yielded the floor.

Mr. CARAWAY. I just want one minute.

Mr. SMOOT. I yield.

Mr. CARAWAY. I just want to say to my Democratic colleagues to remember what Schley said at Santiago. When the Spanish fleet was being sunk, he asked the sailors not to cheer. He said, "The poor boys are dying." I hope Senators on this side will not taunt the Republicans.

Mr. SMOOT. I expected just such a statement from the Senator.

I want to say to the Senator from North Carolina that the Senator from Utah may be a juggler with figures, as he intimated, but I never state a figure to this body that I am not able to prove. I will say that to the Senator, whether I juggle them or whether I do not.

I want to say to the Senator further that he should take into consideration the $25,000,000 we paid to Colombia, the pork barrel bill for rivers and harbors of over $65,000,000, and many other items too numerous to mention in time remaining in this session of Congress. In 1915 we did not have to appropriate anything for the payment to the veterans of a World War, to the disabled and wounded——

Mr. BURSUM. Mr. President, will the Senator permit a vote on the pension bill?

Mr. SMOOT. Yes; I will permit a vote. I yield now.

Mr. DIAL. We can not get a vote now. We have no intention of having a vote.

NOTIFICATION TO THE PRESIDENT.

Mr. LODGE and Mr. ROBINSON appeared, and Mr. LODGE said:

Mr. President, the committee appointed by the Senate to wait upon the President of the United States and inform him that the Senate had completed its business, and ask if he had any further communications to make, have fulfilled that duty, and the President informs us that he has no further communications to make to the Senate.

STATE BANKS, ETC., MEMBERSHIP IN FEDERAL RESERVE SYSTEM.

The VICE PRESIDENT. Pursuant to the provisions of section 506 of the agricultural credits act of 1923, the Chair appoints Mr. McLEAN, Mr. WELLER, and Mr. GLASS members on the part of the Senate of the joint committee to investigate the question of securing larger membership of State banks and trust companies in the Federal reserve system.

TRIBUTE TO DEAN OF CORPS OF OFFICIAL REPORTERS.

Mr. HARRISON. Mr. President, there are many faithful employees of the Senate who have rendered splendid service during this Congress, but there is one who is outstanding in that service. This is the twenty-eighth Congress he has seen expire. He came here in 1868, and is still fresh and active. He is the dean of the Official Reporters, and I am sure we all wish our friend, Mr. Shuey, well. [Applause.]

SENATOR JOHN SHARP WILLIAMS.

Mr. HARRIS. Mr. President, there is an article in the Baltimore Sun of Sunday morning in regard to Senator JOHN SHARP WILLIAMS, which I ask to have printed in the RECORD in 8-point type. It was written by Mr. Theodore Tiller, one of the ablest correspondents in Washington; and I also ask to have printed in the RECORD an article from the Memphis Commercial Appeal, written by Mr. R. M. Gates, to be printed in 8-point type.

There being no objection, the articles were ordered to be printed in the RECORD in 8-point type, as follows:

NO MORE BOREDOM IN SENATE FOR JOHN SHARP WILLIAMS—VETERAN MISSISSIPPIAN SLIPS QUIETLY OUT OF WASHINGTON TO AVOID ELABORATE CEREMONIES OF FAREWELL.

(By Theodore Tiller.)

WASHINGTON, March 3.—The manner of the exit of JOHN SHARP WILLIAMS from Washington and public service was typical of the whimsicality and modesty of the man. Only a few of his intimates knew until to-day that he had not awaited the fall of the gavels bringing the Sixty-seventh Congress to a close. Now the story may be told—all the way from that quiet little dinner at the home of Philip Roche to a scene at the Union Station as Senator WILLIAMS slipped out of Washington last Wednesday afternoon.

He heard that they might give him a farewell speech or so in the Senate. He wanted no such display. He heard also that the back-home folks, around Yazoo City, Miss., and a town or so en route, wanted to stage a home-coming celebration in his honor. And then he decided that he would slip quietly out of Washington and quietly into Yazoo City, no one knowing the exact time of his departure or arrival.

NO CEREMONY OF FAREWELL.

There were just a few who knew that he intended to go four days before the end of the session. One of them was Philip Roche, a doorkeeper at the Senate Chamber. Philip Roche was there when the train pulled out of Washington. The tears ran down his face as he said good-by to JOHN SHARP WILLIAMS, whom he almost worships. His voice was thick with emotion and sighs came from the broad bosom of a bulky, gray-headed man, whose shoulders stooped a bit more as his friend left.

Philip Roche is an Irishman, born in county Tipperary, who came to this country fifty-odd years ago. For 30 years he has known and loved JOHN SHARP WILLIAMS; but even before that time there had been a faint family association, for Roche's brother-in-law fought for the Stars and Bars alongside Senator WILLIAMS's father, who was killed at Shiloh. Most of Roche's relatives were in the Confederate Army. So were most of WILLIAMS's.

In the old days Philip Roche owned a saloon on Newspaper Row in Washington. It was a cozy place, to which came politicians, writers, and others. Senator WILLIAMS dropped in there at times for a toddy, and Philip Roche served the best thing in the house when his favorite statesmen came in. After prohibition Roche became a Senate doorkeeper in his old age.

ONLY ONE DINNER AT PARTING.

During the last month of Senator WILLIAMS's service of nearly 30 years in Congress he received dozens of invitations to attend banquets, State functions, formal affairs in Washington. He declined them all. The day before he was to go Philip Roche asked Senator WILLIAMS to come to his home and break bread with him before he quit Washington. That was one invitation JOHN SHARP WILLIAMS instantly accepted.

They went to the modest home of Philip Roche. Others who gathered there for this remarkable dinner included former Senator Mark Smith, a crony of WILLIAMS, Senator PAT HARRISON, Joseph P. Tumulty, and a few more. Roche, with all the hospitality of his nature, waited on the table a part of the time and then sat down and ate with his guests. Then they sat around and told stories and reminisced, JOHN SHARP WILLIAMS and Mark Smith doing most of the talking and going back into memory for wonderful experiences of other days.

That was JOHN SHARP WILLIAMS's farewell dinner in Washington. It was without formality or speeches. But sentiment and old friendships were there, and that is why WILLIAMS went. This brings us to something he said about sentiment not long ago.

SENTIMENT ALONE ENDURES.

"A few days ago," said WILLIAMS, a man to whom the Senate always gave attention, "we heard a Senator refer to sentiment contemptuously. There is no poetry in the soul of a man who can refer to sentiment contemptuously. To say that a man is sentimental is to pay him the highest compliment that one man can pay to another, or that a pure woman can pay a brave man. The only thing that is not rotten and can not rot is human sentiment.

"I belong to a breed of men who for 400 years have been dying on the wrong side. Some of them fought like fools for the Stuarts in England. Some of them died under Tyrone's Roman Catholic insurrection in Ireland. Some of them followed the Stars and Bars until they fell in gloom, though not in disgrace, at Appomattox.

"We do not recognize that sentiment is to be referred to contemptuously. If it were so to be referred to, the man who died for the Stuarts was simply an infernal fool, and the man who followed Robert E. Lee to Appomatox did not have much sense. But, all the same, he had heroism, he had courage, and he had communion with the immortal gods, because they were in his heart, and the very spirit of Jesus Christ was before him—because Jesus fought for the greatest lost cause the world has ever known. I have no sentiment to waste on the man who refers to sentiment contemptuously.

LAST TRIBUTE TO BLACK MAMMY.

The last resolution Senator JOHN SHARP WILLIAMS asked the Senate to consider was one authorizing the erection on public grounds of the United States, in Washington, of "a monument in memory of the faithful colored mammies of the South." The Senate adopted it unanimously. Jefferson Davis Chapter, No. 60, United Daughters of the Confederacy, will erect this monument to the old southern "mammy."

Senator WILLIAMS typified the old South, but not the "professional southerner." His drawl was inimitable. So pleasing was it that it might have lulled one to sleep—except that no one ever slept while JOHN SHARP WILLIAMS spoke. He had all the weapons of oratory from satire and sarcasm to eulogies of the purest English. Educated both in this country and abroad, he was one of the few real scholars who have made Senate debates historic.

He was genuinely southern and pastoral in his tastes, too. When he said good-by to the Mississippi Valley Society of Washington a few nights ago he spoke to folks from back home, and in his quaint way said, in substance:

HIS ART OF GROWING OLD.

"I am going back to Yazoo City and my old home on a rural free-delivery route. I want to get up again each morning as I hear the roosters crow. I want to pick flowers while the dew is still on them. Then, I want to come back and have my coffee and breakfast. Later on, if I am so fortunate as to have any left in these days, I want to stir myself a toddy whenever I feel that I would like one.

"Through the middle of the day I will read books, putter around the place, and talk to my neighbors. At noon I will leisurely eat my dinner.

"After dinner I will read some more, and then late in the evening I will eat supper—and notice that I call it supper, this last meal of the day. That's what we call it in Mississippi.

"And as night and the time for bed approaches, I will listen to the greatest chorus of voices that man ever heard, music that will charm me and make me ready for repose—the voices of my mocking birds."

Going on, Senator WILLIAMS said he wanted to live that way until he died and then be carried out of the house by his neighbors and buried among his people.

PARTING SHOT AT THE SENATE.

Quickly shifting from sentiment to cynicism, he added:

"Now, some may say that that is not a very wonderful thing to do—all this I've mapped out for my future days—but it is a lot more honest than being a Senator."

Months ago Senator WILLIAMS told his colleague, Senator PAT HARRISON, that he was tired of the Senate and public life and would not seek reelection (which no doubt he could have had without opposition).

"I'd rather be a dog and bay the moon than stay in the Senate another six years," he said. "I'm tired of it all, and going home to rest."

NO DESIRE FOR MONEY, EITHER.

This spirit of abandon and desire for repose was exemplified during the past few weeks, when he received numerous offers to go on the lecture platform, to write books, to write weekly comment for newspapers, and what not. One syndicate offered Senator WILLIAMS $30,000 a year to write a story each week about current events or any other topic selected by him. A young fellow came down to persuade Senator WILLIAMS to sign the contract. With that enticing drawl in his voice Senator WILLIAMS finally said:

"No, young man, I want to rest, not to write. I wouldn't be tied down to do anything once a week for anybody or for $30,000. You might take it up with me three or four months from now, when I am rested up a bit, and maybe I'll write a story or two, but I don't think I will."

In Senate debate no Senator could draw a smile or a laugh from the galleries more quickly than JOHN SHARP WILLIAMS. When he arose everyone knew that he would lend a sparkle to the proceedings; that the shafts of his wit would hit somewhere in the Chamber. Here is a sample extract from his last speech in the Senate, wherein he discussed everything from the ship subsidy bill to the Louisiana and Florida purchase:

PERSUASIVE WAYS OF JACKSON.

"We not only rather coerced the Florida purchase," he said, whimsically, "but old 'Andy' Jackson went down there and invaded the territory, fought everything in sight, hung three British subjects, and then afterwards got so mad because the Secretary of State questioned his right to invade foreign territory and hang three British subjects—somebody having censured him for it—that he and Thomas H. Benton spent nearly the balance of their official lives trying to get the censure removed. And finally they did get it removed, so that the Journal of this most august body to-day stands with various lines run through it and others rubbed out."

"I hesitate to question the historical accuracy of a great scholar like the Senator from Mississippi," interrupted Senator STANLEY, "but I think he has given Andy credit for one too many—it was two instead of three British subjects that he hung."

"Perhaps so," said WILLIAMS, "but that was not Andy's fault, for he would have hung another if there had been any more he cared to hang."

"They were hanged in Florida," said Senator LODGE.

"Yes; they were hanged in Florida, for Andy did not even take the trouble to bring them over the line," agreed Senator WILLIAMS.

HATED KAISER BUT NOT GERMANS.

During the World War Senator WILLIAMS made many speeches arraigning the German military machine and the Kaiser, but he was different in his feeling toward the German people. Remembering his days at the University of Heidelberg, in Baden, he once said:

"I join the President in having no hostility toward the German people. I spent two and a half years of my life with them, and I love them—a whole lot of them. The man who

inhabits the borders of the Rhine, the man who inhabits Bavaria and Wurttemberg—easily moved to tears, and easily moved to laughter, and easily moved to rage—is a man whom I have learned to love.

"And I have always believed this war in Europe, brought on by the obstinate refusal of the Kaiser to leave either to a tribunal of arbitration or to a concert of Europe the question at issue between Austria and Serbia, and inspiring Austria to refusal, is a proof of the truth of the adage, 'Whom the gods would destroy, they first make mad.'"

READY FOR ORATORICAL BATTLE.

In the retirement of Senator WILLIAMS it is generally conceded the upper Chamber loses one of its most entertaining and ablest men. In both Senate and House he was always ready for debate, but there was no rough-and-tumble display about him. Going into action, he walked slowly down the aisles, his left hand always cupped behind a deaf left ear. His gray hair was frequently rather touseled. He wore always an old-fashioned standing collar, with his Adam's apple showing through its wide space at the front. He was clean but careless in his dress. If his trousers bagged and his coat sagged it mattered little to him.

He had a way of going across the Chamber and sitting right in front of a Senator to whose speech he wanted to listen. He would sit there as though enraptured, never taking his eyes from the face of the speaker and never removing that left hand from behind his ear. Sometimes he did this to disconcert a political enemy. For instance, when Senator MCCUMBER was delivering a long, dry speech on the tariff bill, Senator WILLIAMS moved across and seated himself almost at MCCUMBER's knee.

Senator MCCUMBER had brought into the Chamber various articles of foreign and domestic manufacture to illustrate the difference in quality and cost of production. Among them was a cuckoo clock. Senator WILLIAMS, disconcerting MCCUMBER a bit, began to play with the clock. Occasionally he peered more closely at it, as though expecting the cuckoo bird to hop out. There was amusement on both floor and galleries. About everybody was smiling except MCCUMBER, who orated on and got little attention because everybody was watching WILLIAMS.

FINALLY BREAKS THE CLOCK.

Eventually the Mississippi Senator tugged too hard at the pendulum and the clock fell down with a great noise at MCCUMBER's feet. Then, having had his little joke, the Mississippi Senator grinned and went out of the Chamber. He had little patience with time-killing tariff debates. He, a member of the Finance Committee, had the faculty of making a tariff speech and putting bits of pep and jazz into it.

His oratorical powers ran the gamut from deepest sentiment to bitterest sarcasm. He seldom if ever used the bludgeon of outright ridicule. His make-up encompassed everything from geniality, conviviality, and love of human nature, and birds and animals, to a fighting spirit inherited from ancestors described by him as fighting for lost causes for 400 years.

Coming to Congress 30 years ago, he has written "30"—the signal of the telegrapher and the newspaper man meaning "the end"—to his own remarkable and brilliant career. Yazoo City takes him back with open arms; the mocking birds he talked about will sing for him each day, and Philip Roche, the doorkeeper, is not alone in Washington when he laments the voluntary departure of JOHN SHARP WILLIAMS and calls him "one of God's noblemen."

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I also present an article on Senator WILLIAMS from the Commercial Appeal, of Memphis, Tenn., written by their Washington correspondent, Mr. R. M. Gates, an excellent newspaper man:

[From the Commercial Appeal, Memphis, Sunday morning, February 25, 1923.]

JOHN SHARP WILLIAMS LEAVING CONGRESS AFTER 28 YEARS OF DISTINGUISHED SERVICE—HIS DEPARTURE A SEVERE LOSS TO STATESMANSHIP.

Lord Bryce's estimate of southern statesmen—that "they had an enlargement of view and an aptitude for grasping and deciding continuous lines of policy and, in fact, a turn for statesmanship as contrasted with mere politics"—applies particularly to Mississippi's famous orator, who within a week goes back to Cedar Grove.

(By R. M. Gates.)

WASHINGTON, February 24.—Of the 15 Senators who will pass out of the upper House of Congress March 4 it is the going out of JOHN SHARP WILLIAMS that will be remarked and regretted as a national loss. He has evoked and held uninterruptedly the admiring interest of the Nation as no other Member of either House of the Congress within the past 30 years. This is true, first, because the retiring senior Mississippi Senator's statesmanship has long since come to be regarded by thoughtful students of the Government as one of the Nation's political assets, and, secondly, his vision in the contemplation of large governmental problems has never been obscured by the petty fogs of little personalities and prejudices that invariably envelop the loose-jawed demagogue and political timeserver.

Neither as a Senator nor as a Representative in the lower House did JOHN SHARP WILLIAMS ever seek or attempt to deceive himself as a national legislator, and because of this unbroken allegiance to his own political conscience he never sought to deceive or mislead either the people of his own sovereign State or the people of the United States. He has always been scrupulously honest in his attitude toward public questions, even though he may not always have been either wise or right in the massed opinion of the majority.

Never in the 28 years of his congressional service was he ever suspected or accused, even by his critics, of casting a vote to catch the popular ear or to appeal to the particular phase or fancy that at the time seemed to hold the popular imagination. Creasy said that "it would indeed be difficult to name a single quality which a general ought to have and with which the Duke of Marlborough was not eminently gifted."

To say that it would be difficult to name a single quality which a statesman ought to have and with which Senator JOHN SHARP WILLIAMS is not eminently gifted may be hyperbole, but certainly Senator WILLIAMS embodies as many of the essential qualities that make for sound statesmanship as any Member of the Senate to-day or of any Member of that august body within the past quarter of a century. Upon the basic foundation of moral and intellectual honesty a superstructure of scholarly attainments, reinforced by natural gifts and graces of mind of a rare order, has been reared, and from this almost marvelous storehouse of information he has given freely to the world in Senate and House debates on questions of national moment and concern. Suffice it to say that the Senate of the United States will be the poorer for the loss of JOHN SHARP WILLIAMS.

GOING BACK TO CEDAR GROVE.

So much by way of preface to the more important and pertinent fact that on March 4, JOHN SHARP WILLIAMS, senior Senator from Mississippi during the past 12 years, will retire from public life that he may give himself over to the fuller, sweeter, and ideally reposeful life that awaits his coming at Cedar Grove, in Yazoo County. There, as he expressed himself the other day, he expects to enjoy his children, grandchildren, the birds, the trees, and the flowers that unite to make the old ancestral Sharp home and plantation the dear and delightful shrine that it is. Whether in this congenial and compensating environment he will devote even a portion of his time to distinctly literary effort is problematical. He may or may not write a book or several books.

Pressing and flattering have been invitations from the leading publishers of the country to give them something from his pen after he shall have separated himself from political life, but thus far Senator WILLIAMS has remained silent. Some time ago he thought that he might write the life of John Marshall as one way of employing a part of his leisure, but he has not recently said anything that would encourage his friends and admirers to look forward to such an illuminating production.

Senator WILLIAMS's intimate friends know he feels that no adequate or sufficiently discriminating life of the great Virginia jurist has yet been given to the world. He does not feel that this famed Virginian has been portrayed as he was, but, on the contrary, most of his biographers—Macaulaylike—have in too many instances sacrificed facts to fancy and fine writing. Up to the present time Senator WILLIAMS's sole contribution to library literature is his "Thomas Jefferson," which in reality is a series of lectures delivered at Columbia University. Undoubtedly the life of John Marshall by JOHN SHARP WILLIAMS would take instant rank as an American classic. May he change his mind and devote himself to the task, is the wish of those who know his ability to make its execution a permanent contribution of inestimable educational and historical value.

28 YEARS IN CONGRESS.

Twenty-eight years, nearly a generation, is the measure of JOHN SHARP WILLIAMS's service in public life. He was first elected to the House of Representatives in 1893 and served in that body 16 years. He had not been a Member of the House but a short time before he was accorded first rank as a debater, though the membership of the House at that time included some of the brightest minds and most incisive intellects in the Nation. In those days the rule of the States was to send men of exceptional merit, generous ability, and of a high order of general accomplishments to Congress. The number of "pikers"

was comparatively small, or at least small enough to render their demagogy harmless on the whole.

When JOHN SHARP WILLIAMS entered the House in 1893, he found Champ Clark and De Armond from Missouri, W. C. P. Breckinridge from Kentucky, Breckinridge from Arkansas, McMillin, Richardson, and Enloe from Tennessee, Sam Robertson from Louisiana, Judge Turner and Charles F. Crisp from Georgia, Oates from Alabama, Joe Bailey and David B. Culberson from Texas, George D. Wise and Harry St. George Tucker from Virginia, and from his own State Hernando D. Money and "Private" John Allen. Over in the Senate there were such notables as George and Walthall from Mississippi, Jones from Arkansas, Caffery from Louisiana, Wade Hampton from South Carolina, Zeb Vance from North Carolina, Beck and Joe Blackburn from Kentucky, Morgan and Pugh from Alabama, Voorhees and Turpie from Indiana, Brice from Ohio, and Harris and Bate from Tennessee. Although comparisons are reputed odious, how do the names of a similar number of House and Senate Members of to-day compare with those mentioned above?

From almost the day of his entrance into the House JOHN SHARP WILLIAMS was recognized as one of the leaders of his party, but he was not formally designated leader of the Democrats for several years thereafter. It was his measuring of verbal lances on the floor with such keen Republican intellects as Pete Hepburn, of Iowa, John Dalzell, of Pennsylvania, and Charles H. Grosvenor, of Ohio, that convinced the Democrats that WILLIAMS was the man for party leadership. Republican leaders ere this had been convinced, to their sorrow and confusion, that they had a foeman worthy their best steel. Even Republican Senators had been attracted by the Mississippian's prowess in the field of open debate and did not hesitate to render him the homage of public acknowledgment of their admiration. It was the late Senator John W. Spooner, of Wisconsin, who said that "as a rough and tumble debater JOHN SHARP WILLIAMS did not have an equal in any parliamentary body in the world."

The Mississippian was minority leader in the House when the Aldrich-Vreeland emergency currency bill was passed, and it was due in a large measure to his unanswerable attacks on that piece of class legislation which in the ensuing congressional elections resulted in the loss of the House to the Republicans and its consequent organization by the Democrats the following year. He branded the bill as just another attempt to tighten the grip of the New York money interests on the rest of the country.

The single speech delivered in the House by JOHN SHARP WILLIAM, and the one with which his name and fame will be longest associated, was in opposition to the annexation of the Philippines. His opposition was based upon the contention that the proposition was opposed to the birth principle and the life principle of the American Republic and therefore subversive of the very spirit of the Declaration of Independence, and he still holds to the objections which he then urged as a nonannexationist.

ENTERED THE SENATE DEBATING.

JOHN SHARP WILLIAMS entered the Senate after having been out of public life two years—from 1909 to 1911—and it is almost literally true that he went in debating. When he became a Senator after a voluntary hiatus of two years the outstanding Member of that body on the Democratic side was Joseph W. Bailey, of Texas. That is, the virile Texan was deservedly esteemed as the ablest debater among the Democrats at least; and when JOHN SHARP WILLIAMS was elected to the Senate there was much speculation as to how he and Senator Joe Bailey would hit it off. They had served together in the House and each had taken the measure of the other in debate. Now that he was a Senator, Capitol gossips were passing along all sorts of predictions of jealousy and rivalry and verbal clashes in open forum between the distinguished Mississippian and the oratorically famed Bailey, of Texas.

While there was never any surface manifestation of jealousy or rivalry between Senator WILLIAMS and Senator Bailey, they held sharply divergent views in regard to certain fundamental principles of party government, and it happened that on the second day of his senatorship JOHN SHARP WILLIAMS found himself in the middle of a furious debate with the Texas Senator on the question of free raw material. The debate consumed two days, and as a result of it Senator WILLIAMS gained at the very outset the rank in the Senate which his career in the House had given assurance he would achieve long before the expiration of his first term in the Senate. That he would become Democratic leader in fact, if not by formal party designation, was predicted, but that he would find opportunity to earn that distinction within less than three days after entering the Senate was in the nature of the unexpected.

The debate between Senator WILLIAMS and Senator Bailey, as stated, was on free raw material, the Texas Senator having issued the challenge by the statement that free raw material was not historically a Democratic doctrine but originated with President Grover Cleveland. Senator WILLIAMS sprang into the debate with the contention that free raw material had been political policy in the Democratic Party since the administration of Thomas Jefferson, whose Secretary of the Treasury, Gallatin, had defended the principle and urged its practice. From Jefferson to Buchanan, said Senator WILLIAMS, the Democratic Party had stood consistently for free raw material, which had been an established policy in England from the days of Adam Smith. Senator Bailey's position was that if the manufactured product was taxed, the raw material should likewise be subject to a tariff tax.

The clash between these giants in debate was denominated as epochal, and for several years thereafter it was to the Senate that visitors flocked for edifying discussion. Opinion as to whether the palm of victory should be awarded to the versatile Mississippian or to the ponderous Texan was divided, but certainly there was no diversity of opinion as to the account which JOHN SHARP WILLIAMS gave of himself. He had done the very thing that had been prophesied he would do, viz, take the front rank as a debater in the Senate. This rank and distinction he has held uninterruptedly down to the present time.

OTHER MEMORABLE DEBATES.

Notable as was the Williams-Bailey free raw-material debate as a senatorial curtain raiser, the new Mississippi Senator was destined to shine forth even in brighter radiance in discussions not yet foreshadowed. There was in the Senate at that time a Senator from Idaho. His name was Heyburn and he was, in spite of any inherent goodness or charity that he may have been justified in claiming, a sort of professional "South hater." He seemed not to have realized that the War between the States had ended at Appomattox and that there was a United States of America. While Senator WILLIAMS loved the South and the cause of the Confederacy with as much warmth of affection as Heyburn was wont to exhibit for the North and the cause of the Union, he discretely refrained from any unseemly manifestation that might be construed as deliberately provocative of sectional discussion.

Not so with Senator Heyburn, who was in season and out keen for a pretext that might be seized upon as warranting a wallop at the South and the Confederacy. For several years the unreconstructed Idaho Senator had been aspersing the South whenever his breakfast or his lunch had gone against him, and aside from drawing more or less desultory fire from the Democratic side of the Chamber, his sectional "ravings" went unnoticed. It was different when JOHN SHARP WILLIAMS entered the Senate. The romping on the South days of the irascible Idaho Senator were then numbered. Their first clash came when one day Senator WILLIAMS proposed that the Senate increase the monthly pay of an old and partially decrepit negro employee of the Capitol, who had been brought to Washington by Senator Jefferson Davis. This proposal was a match to the Huyburn powder keg, and the explosion that followed was verbally terrific. Heyburn's yet dripping "bloody shirt" was again unfurled. Decorously, yet with gathering fury, Senator WILLIAMS listened to the unprovoked attack on his section, his State, and his party, and when the exhausted Heyburn took his seat the incensed Mississippian let go all the artillery in his arsenal.

This was Heyburn's first real castigation, and his usually composed and florid face alternated expressions of pain and amazement. He had been soundly drubbed for the first time, and that, too, by a Democratic Senator who was comparatively a new Member, who, according to Senate tradition, should be seen a long time before he is heard. This experience sufficed to keep a quietus on Heyburn for months, and though he never lost an opportunity afterwards to take a crack at the South, he never again remained in his seat under JOHN SHARP WILLIAMS's fire in retort, but almost invariably retired to the Republican cloakroom when the Mississippi Senator rose to reply. But Senator WILLIAMS was at his best as a debater in the Senate during the days just preceding America's entrance into the World War. Absolutely and unequivocally a believer in the justice of his country's cause and of its provocation for taking part in that titanic struggle for the preservation of Christian civilization, Senator WILLIAMS had no patience, either sentimental or intellectual, for those who by word or deed would

even seemingly thwart the preparations which President Woodrow Wilson was then urging upon the Congress as precedent to America's participation. The chief obstructionist to President Wilson's program was Senator LA FOLLETTE, and because of this regrettable fact the erratic Wisconsin Senator was oftenest within the range of Senator WILLIAMS's patriotic fire. The clashes between these opposing Senators were frequent, but, as might be expected, the Mississippian emerged each time unscathed and with unabated zeal. Senator WILLIAMS's famous reply to Senator LA FOLLETTE's concluding antiwar speech was remarked and will be remembered as enlarging his reputation for forensic debate even to greater proportions than his two days' discussion with Senator Bailey on free raw material.

LAST OF OLD-TIME SENATORS.

When JOHN SHARP WILLIAMS goes out of the Senate March 4, the last link that binds the upper House of Congress to the South of heroic memories will be broken. He is literally the last of the Mohicans, so far as the South, as the once recognized nursery of statesmen in the Senate is concerned. And the pity of it does not lessen its truth. It will be said that the South still produces men capable of notable achievement in high official station. That is true, but it is true also that men of that type, as a rule, are to be found in the walks of civil life. It may be said also that for some reason the South seems to have lost much of the old pride which in other days prompted her to chose her biggest and brainiest and best men to speak her sentiments in the halls of the National Legislature.

But back to JOHN SHARP WILLIAMS, now soon to pass from that stage upon which for 28 years he has taken major rôles to the lasting credit of himself, to the State of Mississippi, and to the Nation. Writing in his American Commonwealth of southern men who entered politics before the War between the States, Lord Bryce said: "But he had courage and a clear vision of his objects, the two gifts essential for a statesman." And, again, the same distinguished author and philosopher reflects on southern statesmen of those pre-Civil War days who showed "an enlargement of view and an aptitude for grasping decided and continuous lines of policy, and, in fact, a turn for statesmanship as contrasted with mere politics." It will hardly be denied by the informed that these descriptions fit JOHN SHARP WILLIAMS as a cap. He has courage and a clear vision and a remarkable aptitude for grasping decided and continuous lines of policy. That he is not a politician is a well-established fact in his entire official career. Perhaps no Member of either branch of Congress ever voted with less thought of what the galleries might think of his vote, but always did he vote as his conscience, his intelligence, his courage, and his sense of responsibility dictated. Instance his vote shortly after the signing of the armistice when a resolution with respect to Ireland was offered in the Senate. Obviously the resolution in question was of political origin and intended as an opportune appeal to an element in the American electorate constitutionally susceptible to any utterance smacking of criticism of England.

The only negative vote against this resolution was cast by Senator WILLIAMS, who stated at the time that he voted as he did because he felt convinced that the resolution was conceived in hatred and delivered for the sole purpose of waking the animosity of a class. But this very resolution had no other effect than to afford certain Senators on both sides of the Senate Chamber a coveted opportunity to deliver themselves of anti-British speeches.

LEGISLATIVE SERVICE.

Throughout his years in the House and Senate it was the aim of JOHN SHARP WILLIAMS to render a constructive legislative service. If he is to be judged alone by a mere utilitarian standard a different verdict of the man and his work will be delivered.

It was his sense of duty to the Nation as a legislator in the Congress of the United States that made JOHN SHARP WILLIAMS a national figure as well as a national factor and influence. He might have allowed his time to be taken up by the countless little details of his office, but being a student and a thinker and a factor in the shaping of national policies and legislation, he was content to leave matters of strictly utilitarian character to others. When on one occasion he was asked by a captious critic if any big piece of legislation bore his name, JOHN SHARP WILLIAMS, then a Member of the House, replied that while it was true his name was not so connected, he could say that he had helped to kill a lot of very foolish and potentially harmful legislation. But things have changed, and under the new political dispensation the average Senator now points to his capacity to get something for his people or settle some disputed matter a constituent has in one of the Government departments at Washington. This form of service seems to have superseded the conception of public duty which at all times appears to have actuated the elder statesman, and by which the old standard of congressional service seems to rest largely upon the ability of the Senator or the House Member to walk fast and much, and to speak long and loud on any subject without reference to whether he knows anything worth while pertaining to it. And the people are getting what they want in inverse ratio to what they pretend to esteem in the interchange of views in private.

WILLIAMS AND HARRISON.

This article would be incomplete did it not take into account the comradeship that has subsisted between Senator WILLIAMS and Senator HARRISON from the very day of the entrance of the junior Senator into the Senate. The relationship has been almost as father to son—PAT HARRISON regarding his senior colleague with a respect and an affection almost akin to paternal reverence. Their teamwork has been harmonious at all times, though not upon all questions have the two Senators voted alike. But in all matters affecting the interests of Mississippi they have cooperated without the least friction. It is due Senator HARRISON to say here that Senator WILLIAMS will retire from the Senate with the highest respect and admiration for his junior colleague, whose progressive career he has watched with increasing pride. Not long ago Senator WILLIAMS remarked that PAT HARRISON had grown more than any new Member of the Senate whose course he had observed.

When Senator WILLIAMS announced some months ago that he would retire at the end of the present Congress Senator HARRISON gave notice that he desired to be assigned to the seat in the Senate now occupied by his colleague, which, by the way, is the seat that was occupied by Jefferson Davis as a Senator from Mississippi. Senator HARRISON has been assigned the seat and will take it at the next session of Congress. Furthermore, Senator HARRISON, as an additional mark of his friendship for and admiration of Senator WILLIAMS, will occupy the latter's rooms in the Senate Office Building—No. 217. Senator HARRISON now has rooms on the fourth floor. The rooms occupied by Senator WILLIAMS are on the second floor and overlook the beautiful park on the east side of the Capitol. It should be stated also that Senator WILLIAMS has the highest respect for his successor, Hon. HUBERT D. STEPHENS, of New Albany. He regards him as a man of fine sense, splendid ability, courageous, and loyal to his party and to his convictions.

WILLIAMS AS A MAN.

As a man, considered apart from his activities and attainments as a national legislator, JOHN SHARP WILLIAMS stands four square. Utterly without fear, his heart is attuned to the sweeter sentiments which impart to life its finest flavor. He loves the true and beautiful as depicted by Ruskin, and spurns the little mean and tawdry things that dwarf the mind, shrivel the soul, and cheapen human relationships.

The very embodiment of loyalty to every commitment of heart and mind, he has never been suspected of ingratitude to a friend or treachery to a political foe. The entire length of his 28 years in the House and the Senate is lined with men ready to shout praise of his name, admiration for his fame. Certainly no man retiring from public life could wish for or could receive a nobler testimonial from those who esteem him and love him because they know him and have wrought with him. No sweeter memory will JOHN SHARP WILLIAMS take into retirement than this.

PENSIONS AND INCREASE OF PENSIONS.

The VICE PRESIDENT. The question is on agreeing to the motion of the Senator from New Mexico to proceed to the consideration of House bill 13980.

Mr. DIAL. Mr. President, there seems to be some anxiety about getting some measure passed, and many Senators are in favor of getting action on the resolution of the Senator from New York [Mr. CALDER] with reference to an investigation into the prices of sugar. I think it would be more proper to consider that resolution and let the country know why the cost of sugar has so mounted.

I do not think it is proper to wait until just before we are about to adjourn——

FINAL ADJOURNMENT.

The VICE PRESIDENT. The hour of 12 o'clock of the 4th day of March, 1923, has arrived, and, in accordance with the Constitution of the United States, the fourth session of the Sixty-seventh Congress of the United States has ended, and the Senate of the United States stands adjourned sine die.

PRESERVATION OF THE HALIBUT FISHERY OF THE NORTHERN PACIFIC OCEAN.

In executive session this day the following convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea, was adopted; and

On motion of Mr. LODGE, the injunction of secrecy was removed therefrom and from the papers accompanying the same:

IN EXECUTIVE SESSION, SENATE OF THE UNITED STATES.

Resolved (two-thirds of the Senators present concurring therein), That the Senate advise and consent to the ratification of Executive D, Sixty-seventh Congress, fourth session, a convention between the United States and Great Britain, signed on March 2, 1923, for the preservation of the halibut fishery on the Northern Pacific Ocean, including the Bering Sea, subject to the understanding, which is hereby made a part of this resolution of ratification, that none of the nationals and inhabitants and vessels and boats of any other part of Great Britain shall engage in halibut fishing contrary to any of the provisions of this treaty.

The Senate:

I transmit, with the view to receiving the advice and consent of the Senate to its ratification, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

WARREN G. HARDING.

THE WHITE HOUSE, *March 2, 1923.*

The PRESIDENT:

The undersigned, the Secretary of State, has the honor to lay before the President, with a view to its transmission to the Senate, to receive the advice and consent of that body to its ratification, if his judgment approve thereof, a convention between the United States and Great Britain, signed March 2, 1923, for the preservation of the halibut fishery of the Northern Pacific Ocean, including Bering Sea.

Respectfully submitted.

CHARLES E. HUGHES.

DEPARTMENT OF STATE,
Washington, March 2, 1923.

The United States of America and His Majesty the King of the United Kingdom of Great Britain and Ireland and of the British Dominions beyond the Seas, Emperor of India, being equally desirous of securing the preservation of the halibut fishery of the Northern Pacific Ocean, have resolved to conclude a convention for this purpose, and have named as their plenipotentiaries:

The President of the United States of America: Charles Evans Hughes, Secretary of State of the United States; and

His Britannic Majesty: The Honorable Ernest Lapointe, K. C., B. A., LL. B., Minister of Marine and Fisheries of Canada;

Who, after having communicated to each other their respective full powers, found in good and due form, have agreed upon the following articles:

ARTICLE I.

The nationals and inhabitants and the fishing vessels and boats of the United States and of the Dominion of Canada, respectively, are hereby prohibited from fishing for halibut (Hipoglossus) both in the territorial waters and in the high seas off the western coasts of the United States, including Bering Sea, and of the Dominion of Canada, from the 16th day of November next after the date of the exchange of ratifications of this convention, to the 15th day of the following February, both days inclusive, and within the same period yearly thereafter, provided that upon the recommendation of the International Fisheries Commission, hereinafter described, this close season may be modified or suspended at any time after the expiration of three such seasons, by a special agreement concluded and duly ratified by the high contracting parties.

It is understood that nothing contained in this article shall prohibit the nationals or inhabitants and the fishing vessels or boats of the United States and of the Dominion of Canada from fishing in the waters hereinbefore specified for other species of fish during the season when fishing for halibut in such waters is prohibited by this article. Any halibut that may be taken incidentally when fishing for other fish during the season when fishing for halibut is prohibited under the provisions of this article may be retained and used for food for the crew of the vessel by which they are taken. Any portion thereof not so used shall be landed and immediately turned over to the duly authorized officers of the Department of Commerce of the United States or of the Department of Marine and Fisheries of the Dominion of Canada. Any fish turned over to such officers in pursuance of the provisions of this article shall be sold by them to the highest bidder and the proceeds of such sale, exclusive of the necessary expenses in connection therewith, shall be paid by them into the treasuries of their respective countries.

ARTICLE II.

Every national or inhabitant, vessel or boat of the United States or of the Dominion of Canada engaged in halibut fishing in violation of the preceding article may be seized except within the jurisdiction of the other party by the duly authorized officers of either high contracting parties and detained by the officers making such seizure and delivered as soon as practicable to an authorized official of the country to which such person, vessel or boat belongs, at the nearest point to the place of seizure, or elsewhere, as may be mutually agreed upon. The authorities of the nation to which such person, vessel or boat belongs alone shall have jurisdiction to conduct prosecutions for the violation of the provisions of the preceding article or of the laws or regulations which either high contracting party may make to carry those provisions into effect, and to impose penalties for such violations; and the witnesses and proofs necessary for such prosecutions, so far as such witnesses or proofs are under the control of the other high contracting party, shall be furnished with all reasonable promptitude to the authorities having jurisdiction to conduct the prosecutions.

ARTICLE III.

The high contracting parties agree to appoint within two months after the exchange of ratifications of this convention a commission, to be known as the international fisheries commission, consisting of four members, two to be appointed by each party. This commission shall continue to exist so long as this convention shall remain in force. Each party shall pay the salaries and expenses of its own members, and joint expenses incurred by the commission shall be paid by the two high contracting parties in equal moieties.

The commission shall make a thorough investigation into the life history of the Pacific halibut, and such investigation shall be undertaken as soon as practicable. The commission shall report the results of its investigation to the two Governments and shall make recommendations as to the regulation of the halibut fishery of the North Pacific Ocean, including the Bering Sea, which may seem to be desirable for its preservation and development.

ARTICLE IV.

The high contracting parties agree to enact and enforce such legislation as may be necessary to make effective the provisions of this convention, with appropriate penalties for violations thereof.

ARTICLE V.

This convention shall remain in force for a period of five years and thereafter until two years from the date when either of the high contracting parties shall give notice to the other of its desire to terminate it. It shall be ratified in accordance with the constitutional methods of the high contracting parties. The ratifications shall be exchanged in Washington as soon as practicable, and the convention shall come into force on the day of the exchange of ratifications.

In faith whereof the respective plenipotentiaries have signed the present convention in duplicate, and thereunto affixed their seals.

Done at the city of Washington the 2d day of March, in the year of our Lord 1923.

CHARLES EVANS HUGHES. [SEAL.]
ERNEST LAPOINTE. [SEAL.]

CONFIRMATIONS.

Executive nominations confirmed by the Senate March 4 (legislative day of March 3), 1923.

ASSOCIATE JUDGES OF COURT OF CUSTOMS APPEALS.

Oscar E. Bland to be associate judge, United States Court of Customs Appeals.

Charles S. Hatfield to be associate judge, United States Court of Customs Appeals.

POSTMASTERS.

IDAHO.

Burton D. Fox, Challis.

Mildred W. Des Voigues, Deary.

NORTH DAKOTA.

Alexander R. Wright, Oakes.

NORTH CAROLINA.

Grover C. Robbins, Blowing Rock.

TENNESSEE.

Daniel L. Hyder, Elizabethton.

HOUSE OF REPRESENTATIVES.

SUNDAY, *March 4, 1923.*

(Legislative day of March 3, 1923.)

The recess having expired (at 10 o'clock a. m.), the House was called to order by Mr. CAMPBELL of Kansas as Speaker pro tempore.

RELIEF OF OWNERS OF THE BARGE "HAVANA."

Mr. STAFFORD. Mr. Speaker, I call from the Speaker's table the bill S. 4322, and move its adoption.

The SPEAKER pro tempore. The gentleman from Wisconsin calls up from the Speaker's table the bill S. 4822, which the Clerk will report.

The Clerk read as follows:

A bill (S. 4322) for the relief of the owners of the barge *Havana.*

Be it enacted, etc., That the claim of the Staples Transportation Co., a corporation existing under the laws of the Stat of Maine, owner of the barge *Havana,* arising out of a collision between the United States steamship *Quincy* and said barge *Havana* at Hampton Roads, Va., on February 4, 1920, for and on account of the losses alleged to have been suffered in said collision by the owners of said barge by reason of damages to said barge, may be submitted to the United States District Court for the District of Massachusetts, under and in compliance with the rules of said court sitting as a court of admiralty; and that the said court shall have jurisdiction to hear and determine the whole controversy and to enter a judgment or decree for the amount of the legal damages sustained by reason of said collision, if any shall be found to be due, either for or against the United States of America, upon the same principle and measure of liability, with costs as in like cases of admiralty between private parties with the same rights of appeal: *Provided,* That such notice of the suit shall be given to the Attorney General of the United States as may be provided by order of the said court, and it shall be the duty of the Attorney General to cause the United States attorney in such district to appear and defend for the United States: *Provided further,* That said suit shall be brought and commenced within four months of the date of the passage of this act.

SEC. 2. That the act entitled "An act for the relief of the owners of the barge *Havana,*" approved September 18, 1922, is hereby repealed.

Mr. STAFFORD. Mr. Speaker, the Congress earlier in the session passed virtually this identical bill, but the Staples Transportation Co. was erroneously described as a corporation existing "under the laws of the State of Massachusetts." It should have been "under the laws of the State of Maine."

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

There was no objection.

The SPEAKER pro tempore. The question is on the third reading of the Senate bill.

The Senate bill was ordered to be read a third time, was read the third time, and passed.

WITHDRAWAL OF PAPERS.

Mr. SINNOTT. Mr. Speaker, I ask leave to withdraw from the files of the House the original papers in the case of House bill 5931, a pension bill, no adverse report having been made thereon.

The SPEAKER pro tempore. The gentleman from Oregon asks unanimous consent to withdraw from the files of the House the papers indicated, there having been no adverse report on the bill named. Is there objection?

There was no objection.

PERMANENT ASSOCIATION OF INTERNATIONAL ROAD CONGRESSES.

Mr. ANDERSON. Mr. Speaker, I ask unanimous consent for the immediate consideration of Senate Joint Resolution 263, which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Minnesota asks unanimous consent for the immediate consideration of the Senate joint resolution, which the Clerk will report.

The Clerk read as follows:

Resolved, etc., That the Secretary of Agriculture is authorized and directed to accept membership in the Permanent Association of International Road Congresses and that the United States be represented in that congress by the maximum number of delegates allowable, and that the Secretary of Agriculture is authorized to expend annually, out of the administrative fund provided by section 21 of the Federal highway act of 1921, the sums necessary to cover the membership fees and such other expenses as may be necessary in maintaining membership in said association.

The SPEAKER pro tempore. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, how much expense will this resolution carry?

Mr. ANDERSON. Six hundred dollars, I am told.

Mr. GARRETT of Tennessee. Of what value will it be to the United States to have membership in this organization?

Mr. ANDERSON. I think it will be of very great value. The whole question of road construction is still in the formative stage. The object of this convention is the exchange of information with reference to road construction. This proposition has been recommended by the former Secretary of Agriculture, Mr. Meredith, by the present Secretary of Agriculture, by the Secretary of State, and by the President. As the gentleman knows, this invitation can not be accepted except by special consent from Congress under the limitation we previously passed. I think this convention is of very great value.

Mr. STAFFORD. Mr. Speaker, will the gentleman yield?

Mr. ANDERSON. Yes.

Mr. STAFFORD. Has there hitherto been any meeting of this international congress?

Mr. ANDERSON. Yes. It met in 1908 and again in 1913. After that there were no meetings on account of the World War. The next meeting of the International Roads Congress will be held at Seville, Spain, next year.

Mr. STAFFORD. What value accrues to the Government by attending this international congress?

Mr. ANDERSON. There is a general expression of views on all questions of road construction. A publication issues from it which is circulated all over the world, in which there are articles dealing with the development of road construction. The results of the international congress are very valuable to road engineers. I hope there will be no objection.

Mr. GARRETT of Tennessee Mr. Speaker, I shall have to object; and I make the point of order that there is no quorum present.

The SPEAKER pro tempore. The gentleman from Tennessee objects, and makes the point or order that there is no quorum present.

CALL OF THE HOUSE.

Mr. MONDELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER pro tempore. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absent Members, and the Clerk will call the roll

The Clerk called the roll, and the following Members failed to answer to their names:

Almon	Drewry	Larson, Minn.	Rodenberg
Andrew, Mass.	Driver	Layton	Rose
Ansorge	Dunn	Lazaro	Rouse
Anthony	Dyer	Lehlbach	Ryan
Atkeson	Ellis	Linthicum	Sanders, N. Y.
Bacharach	Fairfield	Logan	Scott, Mich.
Bankhead	Fish	Longworth	Scott, Tenn.
Beck	Fitzgerald	Lowrey	Sears
Beedy	Free	Luce	Shelton
Bell	Freeman	Luhring	Siegel
Benham	Fulmer	McClintic	Slemp
Bird	Garner	McCormick	Smith, Mich.
Black	Garrett, Tex.	McFadden	Snyder
Blakeney	Gould	McKenzie	Steenerson
Bland, Ind.	Graham, Pa.	McLaughlin, Pa.	Stevenson
Bond	Griffin	MacLafferty	Stiness
Brennan	Hammer	Maloney	Stoll
Briggs	Hardy, Colo.	Mansfield	Strong, Kans.
Britten	Hardy, Tex.	Mead	Sullivan
Brooks, Ill.	Hawes	Michaelson	Summers, Wash.
Brown, Tenn.	Hays	Montague	Tague
Browne, Wis.	Hogan	Moore, Ill.	Taylor, Ark.
Buchanan	Hooker	Morin	Taylor, Colo.
Burke	Humphreys, Miss.	Mott	Temple
Butler	Jacoway	Mudd	Ten Eyck
Cantrill	Jefferis, Nebr.	O'Brien	Thomas
Carter	Johnson, Miss.	O'Connor	Thorpe
Chandler, N. Y.	Johnson, S. Dak.	Ogden	Tillman
Clark, Fla.	Jones, Pa.	Olpp	Tinkham
Classon	Kahn	Overstreet	Treadway
Clouse	Keller	Paige	Upshaw
Codd	Kennedy	Park, Ga.	Vaile
Cole, Ohio	Kiess	Patterson, Mo.	Volstead
Connally, Tex.	Kindred	Perkins	Ward, N. Y.
Connolly, Pa.	King	Porter	Wheeler
Cooper, Wis.	Kirkpatrick	Pou	White, Me.
Copley	Kitchin	Rainey, Ala.	Williams, Tex.
Crago	Kleczka	Reber	Wise
Crisp	Kline, N. Y.	Reece	Woods, Va.
Cullen	Knight	Reed, W. Va.	Woodyard
Dale	Knutson	Riddick	Yates
Denison	Kreider	Riordan	Zihlman
Drane	Kunz	Roach	

The SPEAKER pro tempore. On this roll call 245 Members have answered to their names. A quorum is present. The Doorkeeper will open the doors.

Mr. STAFFORD. Mr. Speaker, I move to suspend further proceedings under the call.

The motion was agreed to.

APPROPRIATION FOR THE FEDERAL FARM LOAN BOARD.

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for the present consideration of the resolution which I send to the Clerk's desk.

The SPEAKER pro tempore. The gentleman from Illinois asks unanimous consent for the present consideration of a resolution, which the Clerk will report.

The Clerk read as follows:

Joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924.

Resolved, etc., That the sum of $24,000 is appropriated, out of any money in the Treasury not otherwise appropriated, for the fiscal year

ending June 30, 1924, to provide payment for the following additional positions in the Federal Farm Loan Board: Two members at the rate of $10,000 each and two private secretaries at the rate of $2,000 each.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

Mr. MADDEN. Mr. Speaker, just a word. The rural credits act, that passed through both Houses early this morning, provides for two additional members and two secretaries. There is no money available for the payment, and this resolution provides for it. I hope it will be considered favorably.

The SPEAKER pro tempore. The question is on the engrossment and third reading of the joint resolution.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

CONVEYANCE OF LAND TO ROBERT E. KELLEY POST, SOUTH DAKOTA.

Mr. CHRISTOPHERSON. Mr. Speaker, I ask unanimous consent to take from the Speaker's table the bill H. R. 6577, an act authorizing the conveyance of land in the State of South Dakota to Robert E. Kelley Post, No. 70, American Legion, South Dakota, and agree to the Senate amendment.

The Senate amendment was read.

The Senate amendment was agreed to.

EXTENSION OF REMARKS.

Mr. A. P. NELSON. Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD in 8-point type.

Mr. GRAHAM of Illinois, Mr. HILL, Mr. OLIVER, Mr. WRIGHT, Mr. CHINDBLOM, Mr. SHAW, Mr. COLE of Iowa, Mr. BLANTON, Mr. LANGLEY, Mr. IRELAND, and Mr. BYRNES of South Carolina made the same request.

The SPEAKER pro tempore. Is there objection to these requests?

There was no objection.

Mr. STAFFORD. Mr. Speaker, I ask unanimous consent that all Members may have 10 days in which to extend their own remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wisconsin asks unanimous consent that all Members may have 10 days in which to extend their own remarks in the RECORD. Is there objection?

There was no objection.

Mr. WINGO. Mr. Speaker, I ask unanimous consent to revise and extend the remarks that I made last night.

The SPEAKER pro tempore. The gentleman from Arkansas asks unanimous consent to revise and extend the remarks that he made last night. Is there objection?

There was no objection.

The extensions of remarks referred to are here printed in full as follows:

Mr. A. P. NELSON. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD I include an address of Hon. Guy D. Goff before the Kiwanis Club, of Parkersburg, W. Va., on February 6, 1923. The address is as follows:

ADDRESS OF HON. GUY D. GOFF BEFORE THE KIWANIS CLUB, OF PARKERSBURG, W. VA., FEBRUARY 6, 1923, ON THE SUBJECT "THE SPIRIT OF AMERICA."

The problem of the United States—your problem; my problem—is not to create a democracy but to preserve republican institutions and ideals, to the end that civic power shall dominate and individual achievement shall grow for the common good. And let us always remember that the so-called poor and lowly—the "exploited class," as the socialist loves to call them—have in a Government of equal opportunities, where no restriction is placed on ability, risen to places of power never attained by those "born to the purple." Lincoln and Lloyd-George, the products of such conditions, are world figures, and of the 12 men comprising the present administration in Washington—the President, the Vice President, and the Cabinet—nine have earned their own way in life without any economic inheritance and eight started as manual laborers.

The present awakening of the world demands reality, not adornment; worth, not cleverness; character, not the cupidity and the prejudice of the bloc. It is the purpose of the age, and it is bound to win in the end. Conditions change, but fundamentals remain the same. Suspicion, despair, and hate yet control human nature and, I regret to admit, inspire human purpose. This Republic needs to-day, as it never did before, men and women of character, purity, vigor, and unselfish judgment. It needs men to stand in the hard places and fight the hard battles. It needs women to answer its questions and to solve its problems. It needs citizens with wisdom—men and women who are not too busy with envy and greed to pause and think, and who are willing to think out at the fireside the best solution of our present troubles and then act in obedience to such conclusions. This Nation to-day needs citizens who are not afraid of the demagogues and the unprincipled politicians who for selfish and sordid reasons have retarded recovery and made the people believe that they are constantly being cheated, deceived, and tricked, until confidence is destroyed and honor always questioned.

APPEAL TO YOU.

I appeal to you as the sober, law-abiding, plain, everyday people of our country—you who believe in the sanctity of the home and the democracy of the fireside. You labor and save, and your feet are planted solidly on the ground. Your fathers and your mothers produced this Nation, and they made it great. And, what is better yet, they believed in the religion of the Bible and the morality of the Bible's religion as the sole and only safeguard against the evils of civil and political despotism. Their Christian belief and faith saved them from morose pessimism and criminal revolt against things as they are. You are the men who create and sustain civilization, and you are capable of transmitting it to posterity. You are the class that has gained the control of industry, and from your frugality has come the surplus savings—the capital that employs labor and creates enterprise. But do you ever pause and reflect whither we are drifting? Are you conscious that our civilization hangs trembling in the balance? It is not the first civilization of the world. Six thousand years ago, back in Egypt, there was a wonderful civilization replete with the courtesies and the amenities of life. Then, too, there were the wonderful days of Greece and Rome—the cultured and the refined periods of Pericles and Horace—only to be followed by centuries of darkness. Go to any museum and you will ponder if such is our destiny and what can save us.

OTHER REPUBLICS FELL.

Americans are accustomed to regard a republican form of government as a natural condition. A glance at history does not lend encouragement to this cheerful view. Venice had a republican form of government for 1,100 years; Carthage for 700 years; Athens, with various intermissions, for 900 years; Florence, 300 years; and Rome, 500 years. We have lasted now 146 years, and if we should continue 300 years more we would go down in history as one of the most splendid and shortest-lived among the wrecks of nations. If we do go down, have you wondered where the world will find a new birth of progress? Obviously not in Europe; and, if not there, is the potency of stability to be found only in the yellow millions of the Far East? Is it not our duty to take most serious thought that we may escape the fate that has befallen others?

We must have more statecraft and less partisan politics. The future of this Nation rests with those who will take the time to think with those who can think and who will think, with those who can grasp a major premise and a minor premise, and then, drawing a conclusion therefrom, never desert it. Individual men and women have knowingly sought substitutes for their old maxims and have weakly proclaimed new discoveries in the make-up of society. All classes are more or less influenced. Many people feel that they have been exploited for the benefit of some one else, and that the time has now come for the cure of all human ills. This is largely due to mental listlessness. Such people are the easy victims of the misleading catch phrases of the day—new words coined to lead those who allow others to think for them.

The call was never greater for the highest type of moral, fearless patriotism to assert its force and reincarnate its power. The remedy is simple, plain, and imperative, if we hope to survive as a great people. One word—honesty—tells what is needed. It tells us, too, that it is quite as important that we know and reaffirm that it is a word with no double meaning. There is no comparative degree. There is no alternative, save its opposite. A man is honest or he is not, and so it is with a people.

AMERICA MAY FALL.

Recently a great statesman and patriot, speaking about the perils of the Republic, said to me: "The time is not far distant when the Federal Constitution will be scrapped and we will be fighting to make America unsafe for democracy, unless those who are American at heart sense the situation and act as vigorously as when they threw themselves against the German advance." This statement, pregnant with prophecy, may be true. This Government may go under and anarchy be temporarily substituted for law; but if this deplorable state should ever happen, when the clouds lift the soviet propagandist and the socialist quack will be found maimed and mangled in the wreckage of the democracy which they have destroyed.

Violence is not the way out, because force is never the way out of any difficulty. We condemn violence in the abstract, but many often believe in it when employed to advance our own purposes. Physical force is the weapon of the autocrat or the bully, who is always a law unto himself and who always identifies and blends the right with the whims and caprices of his own personal wishes and will.

To uphold the Nation in this era of flux, it is not enough that we think the Nation to be useful; the better part of our nature must feel our Nation to be holy. When the heart is right, then there is true patriotism. The new order of things must give us men and women who have never lost faith in the Constitution and the home, men and women who have an abiding confidence in the final triumph of democratic principles and republican institutions. Civic responsibilities must be met by men and women alike, because the country's need is "eternal vigilance." For centuries the institutions we enjoy to-day have been unfolding in accord with the divine laws. They have been built up slowly, almost imperceptibly, with the sacrifices, the blood, and the sorrows of struggling millions. We must repeat and teach with renewed vigor, lest we forget, the old truths that government will not and can not run itself; that liberty solves no problems; that if the people tolerate fraud and inefficiency it is their own fault; and that for the citizens of a republic each day is but a preliminary judgment day in which the voices of doom are written large for a people who have ceased their sacrifices to truth and virtue and, because of the weakness of success, fail to taste the full joy of a lofty and pure idealism.

REFORM BY VIOLENCE.

To-day there are those who would deprive us of all we have achieved. Irreconcilable doctrines are grappling with one another. Individual liberty is drawn up against collective servitude, personal initiative against the tyranny of socialism. The socialists and the self-exploiting political malcontents offer no substitute; they merely aim to destroy everything that is. "Wipe the slate clean," they cry, "and we will write thereon a new religion, a new morality, a new education, and a new civilization." Yes; in the twinkling of an eye the hand of appetite and the mind of violence will hand you over the equivalent of that which must grow up within us. Think of it, pray, that this poor human clay can move toward the heights without passing through sorrow, suffering, and affliction. May God pity him who is not chastened by pain and does not know of grief, for he surely is dwarfed and infirm of soul. There must always be payment in kind, specific reward for specific effort. There is no barter or substitution, nothing but payment in kind, the struggle of man through the centuries, earning and gaining only by the sweat of his brow.

The unrest of to-day has its rise in envy and jealousy; mankind is dividing into classes, becoming suspicious, doing nothing, playing safe, and each because of greed envies the other. There is an instinctive struggle for that will-o'-the wisp equality. There is no equality. There will be inequality wherever there is individual opportunity. No two human beings have the same ability, the same temperament, the same tastes, or the same physical powers, and for such reasons there will never be equality except equality of opportunity. In a word, let me state a self-evident truth: The real value of man lies not in what he has but in what he is and in what he may become, not artificially but slowly and painfully through the development of his God-given gifts. "In the sweat of thy face shalt thou eat bread," means that labor shall be protected and idleness prohibited by law. So in our struggle for honesty, stability, decency, and the betterment of society, all that is patriotic in our American citizenship, must be enlisted; not mere love for country, which is commonplace; not mere willingness to fight and die, which is sweet and glorious, but we must bring to the affairs of home and State all the intelligence, morality, and unselfish wisdom which we possess. We must as a people go into a committee of the whole and determine to hold fast the rights and privileges which have been secured to us by past sacrifices.

DISRESPECT FOR LAW.

In one of his latest works, a pamphlet entitled "Maxims Concerning Patriotism," Bishop Berkeley, shortly before his death in 1753, made the following observations: "Would you make a man who had no sense of God or conscience the guardian of your child? If not, why the guardian of your State? He who says there is not an honest man you may be sure is himself a knave." My friends, there must be respect for and obedience to the law of the land. Disrespect for law is a gnawing evil and demands the attention of all patriotic and right-thinking people. Never in our history has there been so much hatred, prejudice, and suspicion; never so little effort to pull together in the exercise of a common purpose to improve our social and industrial conditions. When men ignore the courts and defy the laws they become savages. Mob rule turns back the hands of time upon the great clock of civilization and sweeps away the greatest achievements of mankind. The harvest of anti-Americanism is ripening. Our form of government is challenged, not alone upon the soap box, not alone by oath-bound secret societies, that cloak their deadly hatred of free principles under the guise of patriotism, but by men in "the seats of the mighty."

POPULAR INDIFFERENCE.

It is a most disheartening symptom that it arouses so little interest and so little public condemnation. The gravest danger is the gross indifference of our people to the duties of citizenship. It is an alarming situation when men can not work without fear of violence from those who will not work. The right to work is as sacred as the right to quit work. Indeed, it is more sacred, for it is one of those inalienable rights of man proclaimed in the Declaration of Independence, because it is a right thundered by God from Mount Sinai. This is a government of laws, not a government of men.

Reverence for the law depends largely upon the ideals and the standards of citizens such as you; and when, for the promotion of their private interests, men and women disobey and scoff at the law, they are aiding the cause of anarchy and promoting the rule of the mob. They are sowing dragons' teeth, and they need not be surprised when they find that no judicial or police authority can save them or the country from reaping the harvest of the rabble.

Disrespect for law is the reverse of all that mankind has built up of good by nearly 2,000 years of effort. It is the Sermon on the Mount written backwards. It leads to bloodshed, torture, rapine, and ruin. It repudiates God and builds its own throne on the basest passions of mankind. If it is allowed to grow and continue, it will mean the end, the destruction of individual rights, the family, the Nation. It will mean that we in our sordid selfishness have closed the doors of our souls to duty and drawn tight the blinds of our hearts, that we might not hear the gabble of the goose beneath our window nor the watchdog's solemn warning. In our pride and our neglect many are living in a fool's paradise and writing indelibly on the gravestone of America "Mene, mene tekel upharsin"—God hath numbered our kingdom and finished it.

There must be a warfare without truce or quarter against those who violate the law. We must do our part. We must respect and uphold the law of the Constitution, and fundamentally we must educate and practice what we preach.

FREEDOM TO WORK.

No people can be either free or civilized until they willingly obey the law and cooperate in enforcing and maintaining it. No people are or can be free until men have the right to work, and do work, with head and hands and receive fair wages in return, but always upon the understanding that such a wage implies honest service. The wage and the job are property, and each must be protected, unless the minority can deny to the majority the very right it claims for itself.

And, above all, working conditions must be made moral and sanitary, lest national decay and economic loss inevitably follows. We all want to make the world a better place in which to live. We are anxious to improve the morals, conserve the health, and advance the welfare of every man, woman, and child with whom we come in contact and whose lives touch ours. We are anxious to decrease the hours and the severity of labor and increase the rewards of those who do the intellectual and the manual labor of the world. It is the moral law, the eternal law of God, and the man who comes without these things comes empty handed and is too selfish to share in the rule of this Republic. These are our patriotic wishes, but we must put our patriotism into action. It is time to awaken the misguided selfish rich and selfish poor alike and show them whither they are drifting and dragging the country with them. It is time to show these lords of misrule that patriotism lies too deep in the American nature to be uprooted by socialism, organized minorities, or sentimental internationalism. The nation that is awake to its dangers has fought and won more than half the battle. Public opinion, once aroused, will tolerate no violations that are founded on injustice and unrighteousness.

SACRIFICE FOR SERVICE.

Our conscience teaches us it is true and our reason tells us it is right that if government is to come closer to man's needs we must have better citizens and more unselfish statesmen. We must have men and women who respect and appreciate the great problems of human life, because they have felt its pinch, experienced its tragedies, and lived its joys. We need men and

women who believe that they find their lives by losing them in the service of others, not men who under the thin veneer of statesmanship, with their ears to the ground and their hopes for themselves, traffic in our liberties and deprive us of our prosperity, but men whose conceptions of every public and private trust are righteously formed, boldly developed, and honestly administered—men whose lives appeal to our intellects, arouse our ideals, and touch the best in all of us. If we can recreate such a feeling, such a thought, in our people, then by these forces only can we keep our country on the map and our flag in the sky until the heavens shall be rolled together as a scroll.

STATE'S FUNCTION.

In these days the State is continually asked to assume additional functions, because many believe that the State should take the place of individual initiative and reduce all men to the dead level of the most incompetent. It is necessary to ask, What is the proper function of the State? The State is society organized in reference to jural relations and for the purpose of doing certain things for those who constitute its citizenship. The State should do that which a man ought not to do. The State should do that which a man will not do. The State should do that which a man can not do for himself.

No government ever made or will make a people great except as it guarantees the liberty whereby the people shall make themselves great. No people ever have made or will make themselves great by relying upon their government to do for them the things which Almighty God intended—yea, decreed—that they should do for themselves. The State does not exist as an insurance company to protect your property and mine. This Government exists not merely to maintain order but to develop in all of the people a national spirit of self-reliance and moral purpose directed to the attainment of the noblest aims, without which no people can endure.

There is too great a tendency to allow the wishes of the crowd to become the dominant element in our affairs. There is danger in being satisfied with glittering generalities and cheap shibboleths and in accepting the belief that differences in aptitude and ability are the result of too much freedom.

We must never permit the tyrannical creed, that an aggressive minority can deny life, liberty, and the pursuit of happiness to the majority. Oppression is no less hateful in the hands of the people than in the hands of the despot, and democracy will avail little if in the end it rescues us from the absolutism of the king only to hand us over to the absolutism of the mob.

PATRIOTISM GONE TO SEED.

Indifference in civic matters is patriotism gone to seed and indifference is the prolific parent of social unrest. If we would grow individually and help others to advance, we must each aim to achieve a proper objective. Work is the law of life. Not every man or woman can make a distinguished success, but every patriotic citizen can be industrious, helpful, and useful. No man and no woman has any right to make his or her contribution small by not doing his or her best.

We have all been, and many of us are, too passive, if not neutrally apathetic. We fall too willingly into the hands of those who tell us that the fault is not with ourselves but with our system of government. It is not until we worry financially and suffer personally and domestically that many of us realize our civic duties and appreciate how very sacred our political obligations really are. And then all too often, in a spirit of pique or downright jealousy, we do what we know is not good for the many and which is obviously injurious to ourselves. The American citizen who thinks and reflects for himself knows that efforts to reform the world at one fell swoop or to readjust the vast disarray that succeeds the cataclysm of war are predoomed to fail. And he realizes that the dissensions now existing are the unavoidable consequences of the most unusual causes. In fact, we all know that it is the suggestion of selfishness directed to susceptible minds that is preventing the people from accepting conditions as they are and beginning the slow process of building up again. Even the agitator knows this, and he also knows that the first requisite of citizenship is respect—serious, sympathetic respect—for the rights of others and the welfare of the community as a whole. We do not care enough about the priceless fabric of liberty transmitted to us by our forefathers as the most precious of heritages.

We are too much absorbed in our own private affairs. Our institutions have not been fairly tried, because whenever called upon to do something for them we always begin to make excuses. In our ease and our comfort we have forgotten that every gift is accompanied by an obligation to do. We need today not only admonition to diligence but exhortations to patriotism. Upon our dead selves as stepping stones we have not risen to higher things.

YOUTH IS NATION'S HOPE.

The spirit of all this must survive and express itself in the young men of the country. They must take up the flag our fathers bore and carry it forward to greater achievement. We must look to the young men of ideals, men yet unspoiled by the cynical touch of the selfishness of life, men full of courage, mentally equipped and capable of tremendous self-sacrifices. Neither the craven nor the coward need enlist. The race is to the swift and the battle to the strong—to the men and the women who never quit.

We should make it our duty to find such men among the mentally and the spiritually young, not among men hopelessly chained to the traditions of the past or heated by the fevers of immoral creeds; not among men who live in idle ease and wear soft raiment; not among men who cringe before power and grow morally flabby in the presence of luxury. We must look among those who, while they respect the past for the good it has produced, believe that the present is all important and the future hopeful. We must look to men who would rather be social exiles, having the testimony of an approving conscience, than be guests in kings' houses. We must look to men who, hearing, can and will answer the call of the hour.

This is our country and our home, and while we welcome, as we did in the past, those who wish to become American citizens, without any mental reservations, we have no room for those who believe that our ideals are false and that our civilization is a vain and empty pretense. This is the best government the world has ever seen for the obvious reason that it has worked out best in practice. There is no country in the world where the generations of the present are so little connected by blood with the generations that have molded and maintained our institutions. The descendants of the men and the women who founded this Government are almost lost in the European millions that have poured into our country during the past 50 years. The names of Washington and Lincoln are meaningless to many of our adopted citizens, because our language and our history have been no more to them than their history and their language have been to us.

MUST TEACH IDEALS.

It therefore becomes our grave and earnest duty to proclaim and teach that American institutions are the great bulwark behind which the forces of liberty are intrenched; that American history is but the story of the advanced guard; and that the American State rests upon the solid foundation of an ideal—the ideal of liberty, equality, and fraternity, emergent above the ruins of autocracy. This ideal—the ideal around which our national life has gathered—is the ideal for which our fathers died and which they embodied in the very core of this Nation, the American Constitution, which for generations has been the outward and the visible means by which the blessings of liberty have been secured. We must love these traditions and objects, not positively but actively; and we must never forget that if we approve politically what we condemn as prudent business men, we have not only failed civically but we have entered the wedge that will destroy us individually and nationally.

In our own small way we must defend as best we can the well-ordered liberty of our Constitution, never forgetting that it has secured a higher degree of happiness to a greater number of people over a longer period of time than any other device or scheme ever struck off by the brain or the purpose of man. If we do our work with enthusiasm, not for gain but because it is part of the plan; if we discharge our public duties, not for personal advancement but in obedience to the realization that comes from honest accomplishment and because the noblest chords in our soul thrill at the thought that we are American citizens intrusted with all that man has gained in his climb toward God; if we are true to our work, our country, our friends, and our firesides—then and then only will we burn incense to liberty and quit our obligations in full to the Commonwealth.

DUTY REMAINS.

After all is said and all is done, when the play is over and the player gone, the spirit of duty, patriotic duty, remains—not success for its own sake but the doing justice between man and man, our brother, and the stranger within our gates. There is nothing heroic in the discharge of duty. The incentive is often lacking, and at times it costs us the admiration and the respect we crave, but if we have simple faith in common chances and are content with our share and our part in the

common hope, if we are true to our highest promptings in civic and national affairs, then we will best express our purpose and serve the spirit of our people.

Some one has said, "No just cause ever dies, and no evil cause ever lives in perpetuity." The sepulcher of the centuries is filled with the bones of dead evils, slain by man in his climb toward God. You may build, build in your pride and power as deep as the continent, build as high as the Himalayas, but if you build upon human wrong or human injustice the hour will come when somewhere the heart throb of a woman or the pulse of a babe will beat down the edifice you will rear, topple it in ruins about your nerveless, helpless feet. This is true, and we know it.

Yes, for thousands of years the God of our fathers kept this country hid from kaisers, anarchists, kings, and czars, and then in his own good time sent Columbus to lead the way, not for the craven and the coward, but for those who loved liberty actively and positively and who will always be ready to guard it and defend it. God has placed upon our heads a diadem and laid at our feet power and wealth beyond description and beyond calculation, but we must never forget that we take these gifts upon condition that justice and mercy shall hold the reins of power, and that the upward avenues of opportunity shall be free to all the people.

EACH HAS A DUTY.

Every American citizen has a duty to perform. It is a sacred, inescapable duty to see that unremitting warfare is carried on against every existing evil until the festering ulcer of corruption is cut out of the body politic. This is not a time for complacency but for earnest, energetic action. If you, my fellow citizens, fail your country now, then your independence, your morality, and your liberty are lost. If the people of this Nation fail now to do their duty in meeting and determining the issue which everyone knows is before us—the issue of honest, impartial, free, progressive, sane government—then reaction and the slow death of our free institutions will come, as did the decline and fall of Rome, when money and class—not justice—was power, and when brutal and aggressive minorities assumed to make the laws for all. Then men and women bartered their honors and exchanged their consciences for the golden gifts of a sordid world.

It will be a sad day if our people shirk responsibility and become unworthy. The nation that compromises with its conscience is feeble in resolution, fat in purse, and flabby in soul, and will soon have a lean, strong race knocking at its gates. If a reason be needed, why self-interest is not the safe means to a suitable end, it is found in the fact that expediency pays by the day, while principle always declares an eternal dividend. Human selfishness defeats its own ends and ultimately loses all it strives to obtain.

WORTHY SONS.

When Pericles came to make that most wonderful of all funeral orations over the dead bodies of those who died in the Peloponesian war, he did not describe the deeds of heriosm they had performed; he did not tell of the glories they had achieved—but he spoke of the Athens, not the Athens of brick and marble; not the far-famed Athens of garden and climate; not Athens with her beautiful sea kissing her beautiful feet; but Athens of developed intelligence, Athens of generous emotion, Athens where all men who had merit had opportunity; that Athens that gave to the world an example of intellectual glory, that lightened the world with her magnificent trophies of the mind; that Athens free, obedient to law, full of learning. That was the Athens.

And then the highest praise he could pay to the dead was that they were the sons of such a city, worthy to be born of such a people, and worthy to die for such a country. And such is the conception that I would put into your minds and leave with you of what America must be, what you and I must be, if this Government is to endure and realize the hopes of those who sacrificed their all for what we enjoy to-day. We must stand for something infinitely and splendidly great. It is vital to the human race, and the victory will not be won until we—we, the children of the purest Republican virtues, have developed the moral character, which renders liberty a power and never a danger.

WORTHY FATHERS.

Our fathers before us solved every problem that confronted them. They feared God and loved liberty, and, though they sleep in the narrow trenches of death, their imperishable spirit lives in the American citizen of to-day, and must live throughout the years to come. They lived and fought and died for the universal cause of liberty, and that we might be free and Christian civilization emerge to its final triumph. Their sons in France sought in sacrifice an opportunity that our flag might be unspotted and unstained. They, too, died that all men beneath its folds should bear no chains or live in dishonor while a single star shone in the firmament of God. We shall keep the faith with our dead—fathers, sons, and brothers—and if we break it they will not sleep, "though the poppies grow in Flanders' fields."

REDEDICATE OURSELVES.

And let us now again rededicate ourselves to the pledge that this Nation, hallowed with the tears and the hopes of our sacred dead, shall stand—stand and endure as it was built upon the foundations of long ago. Let us pledge that no group, whether it be called a Soviet, a syndicate, or a communism, whether it be composed of capitalists or the proletariat, whether it be made up of employers or employees, of millionaires or paupers, shall ever rule this country. And let us reaffirm that the ballot, not the bullet, shall express our national will, and that the torch and the bomb will only ignite the fires of patriotism at every hearthstone. And if we do—and I know we shall—then, because justice is greater than power, this Government will live to scatter the richest of human liberty to races yet unborn and advance the cause of civilization, that future generations may inhabit a happier world and God live in the souls of men.

Mr. HILL. Mr. Speaker, the war is over, but the often unrecognized mental attitude of the American people is still to look to the Federal Government for the exercise in normal times of peace of the abnormal war-time powers essentially called into force for the very existence of the Nation created by the Constitution.

The prevailing antidote for any public evil to-day is either a new Federal law or an amendment to the Constitution itself. The first is bad, but the last is fatal to the existence of that form of government under which this Nation became great and under which, until the eighteenth amendment, it was contented.

What we need to-day is demobilization of bureaucracy, demobilization of the popular attitude "it ought to be a Federal amendment."

I am glad to call to your attention to-day the fact that one recent attempt at increasing bureaucracy has failed. An identical bill was introduced in the Senate and House to create from the prohibition unit in the Treasury Department an entirely independent prohibition bureau, outside of the regular organization of the executive departments of the Government, and responsible to no one but the President. This was intended to be a logical step toward the creation of an executive "department of prohibition," with a "secretary of prohibition" at its head. I am happy to say that this attempt failed in the Sixty-seventh Congress.

Hearings were held on this bill to establish an independent prohibition bureau before the Committee on the Judiciary beginning Monday, February 19, 1923. Mr. Kramer, of Ohio, formerly Federal Prohibition Commissioner, spoke in favor of the bill, and, as usual, Mr. Wayne B. Wheeler, general counsel and legislative agent of the Anti-Saloon League, was in attendance. I appeared before the committee in opposition to the bill, and filed letters of protest from prominent business men in Baltimore—druggists and others in similar legitimate businesses—objecting to the conferring of autocratic power on the Federal Prohibition Commissioner as provided by the proposed bill. Under the bill as offered the salary of the Federal Prohibition Commissioner was to be increased to $10,000, and about a half million dollars more added this year to the amount already appropriated for expenditure by him under the name of law enforcement. Again I repeat, I am very glad that this attempt at increased bureaucracy in the Federal Government failed. I think this is an indication of the coming return of normalcy on the question of the eighteenth amendment.

In this connection I desire to file with the House the last phases of the inquiry to which I called the attention of the House on August 14, 1922.

On April 26, 1922, I requested from the Federal Prohibition Commissioner a ruling on the meaning of the word "nonintoxicating" as applied to cider and fruit juices which were exempted from the penalties of the Volstead Act by Title II, section 29. The Federal Prohibition Commissioner first advised me that his office would not consider as "intoxicating" cider or other fruit juices for use in the home containing not more than 2.75 per cent of alcohol by volume. He later rescinded this ruling, and I have not up to this time been able to get any further ruling from him on this subject.

On page 11457 of the issue of the CONGRESSIONAL RECORD of August 16, 1922, I presented for your consideration the letter to me on July 3, 1922, from the Federal Prohibition Commissioner. I thereafter continued my efforts to find out what

the word "nonintoxicating" in Title II, section 29, of the Volstead Act means.

I made inquiry of the Secretary of the Treasury, not being able to obtain the information from his subordinate, the Federal Prohibition Commissioner. I received the following letter from the Secretary of the Treasury under date of September 22, 1922:

TREASURY DEPARTMENT,
OFFICE OF THE SECRETARY,
Washington, September 22, 1922.

Hon. JOHN PHILIP HILL,
House of Representatives.

MY DEAR MR. HILL: Your letter of September 16 has been referred to Mr. J. J. Britt, who is the legal adviser of the Prohibition Commissioner, with the request that he construe for Commissioner Haynes section 29, Title II, of the Volstead Act.

You state in your letter that this request was made "in order that the Anti-Saloon League of Maryland may cease to encourage law violations by advising my constituents that 'the present regulations made in pursuance of the Volstead Act permit the farmer to have cider and let it ferment and become intoxicating, allows him to drink it in his home or give it to his friends when they drop in.'" Mr. Britt is not the legal adviser of the Anti-Saloon League of Maryland, and the prohibition unit has no authority to advise the Anti-Saloon League of Maryland on legal matters or to control its actions.

A sincere effort is being made to enforce the eighteenth amendment and the Volstead Act, and the commissioner will be advised as to the meaning of the section to which you call attention.

Yours very truly,

A. W. MELLON, *Secretary.*

Upon receipt of this letter I wrote to the Federal Prohibition Commissioner as follows:

SEPTEMBER 26, 1922.

The FEDERAL PROHIBITION COMMISSIONER,
Treasury Department, Washington, D. C.

SIR: I am in receipt of a letter from the Secretary of the Treasury dated September 22, 1922, reading as follows:

"Your letter of September 16 has been referred to Mr. J. J. Britt, who is the legal adviser of the Prohibition Commissioner, with the request that he construe for Commissioner Haynes section 29, Title II, of the Volstead Act.

"You state in your letter that this request was in order that the Anti-Saloon League of Maryind may cease to encourage law violations by advising my constituents that 'the present regulations made in pursuance of the Volstead Act permit the farmer to have cider and let it ferment and become intoxicating, allows him to drink it in his home, or give it to his friends when they drop in.' Mr. Britt is not the legal adviser of the Anti-Saloon League of Maryland, and the prohibition unit has no authority to advise the Anti-Saloon League of Maryland on legal matters or to control its actions.

"A sincere effort is being made to enforce the eighteenth amendment and the Volstead Act, and the commissioner will be advised as to the meaning of the section to which you call attention."

Will you be good enough to advise me whether your legal adviser, in accordance with the instructions of the Secretary of the Treasury, has advised you as to the construction of section 29, Title II, of the Volstead Act, and tell me what regulations you have issued as a result of such advice for the enforcement of this section, which relates to the alcoholic content of cider and nonintoxicating fruit juices? I have been endeavoring to obtain this information since April 26, and will be obliged to you for a prompt response.

Yours very truly,

JOHN PHILIP HILL,
Member of Congress.

I received from him in reply the following communication:

TREASURY DEPARTMENT,
OFFICE OF FEDERAL PROHIBITION COMMISSIONER,
BUREAU OF INTERNAL REVENUE,
Washington, September 29, 1922.

Hon. JOHN PHILIP HILL,
House of Representatives.

MY DEAR MR. HILL: Receipt is acknowledged of your letter of September 26, 1922, in which inquiry is made as to whether or not, at the instance of the Secretary of the Treasury, Mr. J. J. Britt, the counsel of the prohibition unit, has rendered any opinion to the Commissioner of Prohibition as to the proper interpretation of section 29 of Title II of the national prohibition act, pertaining to the making of nonintoxicating cider and other fruit juices, exclusively for use in the home, which would serve as a basis for regulations on the subject, or instructions to the head of the Anti-Saloon League of the State of Maryland.

In regard thereto you are informed that from a careful examination of the files of this office, it does not appear that Mr. Britt has rendered any such opinion and no new regulations have been issued on the subject, or information furnished the head of the Anti-Saloon League of the State of Maryland pursuant to such opinion.

You have heretofore been furnished with full information and such regulations as have been issued on this subject and there has been no departure therefrom since you were informed by letters in regard thereto. The information heretofore furnished you is such as is furnished to all persons interested in the subject, and is in accordance with the views of the best-informed officials as to the proper interpretation of section 29 of Title II of the national prohibition act.

Every effort has been made by the officials of this office to so interpret the law as to give full force and effect to the national prohibition act, and in accordance with the intent of the Congress of the United States as determined from the statute.

Sincerely yours,

R. A. HAYNES,
Prohibition Commissioner.

This letter contained the definite statement that the Federal Prohibition Commissioner's attorney had not yet rendered an opinion as to the meaning of the word "nonintoxicating" in the exemption it conferred upon the dwellers in rural communities, whose votes were sought by the provisions of Title II, section 29, of the Volstead Act; and so, on October 9, 1922, I made the further following inquiry:

[Fast day telegram.]

712 KEYSER BUILDING,
Baltimore, Md., October 9, 1922.

Mr. ROY A. HAYNES,
Prohibition Commissioner, Treasury Department,
Washington, D. C.:

Referring to your letter September 29, please wire me to-day, 712 Keyser Building, Baltimore, whether, in accordance with instructions of Secretary of Treasury, Mr. Britt has rendered you opinion and you can advise me of proper interpretation of section 29, Title II, of national prohibition act.

JOHN PHILIP HILL,
Member of Congress.

In answer to this telegram I received the following response from Mr. Jones, Acting Prohibition Commissioner:

WASHINGTON, D. C., *October 9, 1922.*

Hon. JOHN PHILIP HILL,
712 Keyser Building, Baltimore, Md.:

Question of legal status of cider and unfermented fruit juices submitted to Attorney General by Secretary Mellon. Opinion not yet handed down.

JONES, *Acting Prohibition Commissioner.*

Desiring to continue this interesting investigation with the ultimate hope of obtaining a specific ruling as to the meaning of the word "nonintoxicating," I made further inquiry of the Treasury Department, and in response received this telegram:

WASHINGTON, D. C., *October 20, 1922.*

Hon. JOHN PHILIP HILL,
Baltimore, Md.:

Your wire 19th. Britt was directed to construe section 29, Title II, for Commissioner Haynes. He preferred to have Attorney General pass on matter and promptly referred it to that office. Department Justice has this day been requested to expedition opinion.

MELLON, *Secretary.*

I was naturally delighted that the matter had been finally placed before the Department of Justice in such an urgent manner, and on the same date that I received this telegram I sent the following telegram to the Attorney General:

BALTIMORE, *October 20, 1922.*

The honorable the ATTORNEY GENERAL,
Department of Justice, Washington, D. C.:

The Secretary of the Treasury advises me under date of the 20th that he has requested from you a construction of section 29, Title II, of Volstead Act for the information of Federal Prohibition Commissioner Haynes, concerning which I asked you for an opinion some time ago. The Secretary of the Treasury advises me that he has requested you to expedite this opinion. Will you please wire me, Keyser Building, Baltimore, at my expense, copy of your opinion for use at meeting to-morrow night? Under section 29, Title II, of the Volstead Act, can cider of an alcoholic content of 2.75 per cent be legally made and used as a beverage in the home?

JOHN PHILIP HILL,
Member of Congress.

The reply to this inquiry was immediate and specific, and was as follows:

WASHINGTON, D. C., *October 20, 1922.*

JOHN PHILIP HILL,
Keyser Building, Baltimore, Md.:

Opinion re alcoholic content cider not yet rendered.

DAUGHERTY.

Desiring to be able to inform my constituents of the meaning of the Volstead Act, and fully realizing that law enforcement is impossible unless a clear understanding of the act is obtainable, on March 2 I introduced the following resolution in the House of Representatives:

House Resolution 572.

Whereas there is considerable demand for a compilation of the rules and regulations now in force relating to the enforcement of national prohibition: Therefore be it

Resolved, That the Federal Prohibition Commissioner be directed to transmit to the House copies of all such rules and regulations now in force.

Resolved further, That the Government Printing Office be authorized to print 50,000 copies of such rules and regulations, and that 100 copies be allotted to each Member of the House.

This resolution was a House resolution and did not require action by the Senate. I felt confident that if the Federal Prohibition Commissioner should telephone to Mr. VOLSTEAD, chairman of the Judiciary Committee, requesting action, that this resolution would be immediately and promptly passed, and so I sent by special messenger a copy of this resolution to the Federal Prohibition Commissioner, my letter to him being as follows:

MARCH 3, 1923.

Mr. ROY A. HAYNES,
Federal Prohibition Commissioner,
Treasury Department, Washington, D. C.

SIR: I inclose herewith resolution which I have introduced in the House of Representatives directing you to transmit to the House copies of all rules and regulations in force relating to the enforcement of the national prohibition act. This being purely a House resolution, concurrence of the Senate is not necessary, and I am hoping to get this resolution through to-day or to-morrow, since I can not conceive any

serious opposition to advising the public of the rules of your office, concerning which there is much uncertainty at the present time.

Since April, 1921, I have been trying to obtain from you a ruling as to what the word "nonintoxicating" means in Title II, section 29, of the Volstead Act, and what are the regulations of your office concerning the amount of alcohol permitted in cider and homemade wines before the same are to be considered "intoxicating" under the Volstead Act.

The Secretary of the Treasury advised me that he had asked the Attorney General for a ruling on this subject. The Attorney General advised me he had not yet rendered such an opinion. Could you advise me if such an opinion has been rendered as yet and send me a copy of the opinion?

If, due to the press of business in the closing days of the House, the inclosed resolution (H. Res. 572) does not pass, I hope you will send me a compilation of the rules and regulations referred to in this resolution.

It is impossible for the general public to obey the Volstead Act unless they know what the act means. I therefore urge you to use your influence with the Judiciary Committee of the House, to which this resolution has been referred, for action on this resolution to-day or to-morrow. I am sending you this letter by special messenger.

Yours very truly,

JOHN PHILIP HILL,
Member of Congress.

I deeply regret, and I know that you will deeply regret, that the Federal Prohibition Commissioner did not use his influence with this House to have my resolution passed. I received from him under date of March 5 a letter on the subject, which is as follows:

TREASURY DEPARTMENT,
OFFICE OF FEDERAL PROHIBITION COMMISSIONER,
BUREAU OF INTERNAL REVENUE,
Washington, March 5, 1923.

Hon. JOHN PHILIP HILL,
House of Representatives, Washington, D. C.

MY DEAR CONGRESSMAN: I acknowledge receipt of your communication of March 3, delivered by special messenger, calling for a copy of all the rules and regulations of this unit and referring to the requested opinion of the Attorney General as to the allowable per cent of alcoholic strength in cider and unfermented fruit juices, and in reply have to say that I shall be very glad to have assembled and sent to you a copy of all existing regulations and decisions governing the administrative business of this unit. As to the opinion of the Attorney General, it has not yet been rendered, but I am to-day informally advised that it may be expected soon, and as early as it is received and printed I shall be glad to furnish you a copy of it also.

Very truly yours,

R. A. HAYNES,
Prohibition Commissioner.

I note with great interest that the long-expected opinion of the Attorney General at the close of the Sixty-seventh Congress still remains unrendered. I note also with regret that neither you nor I will be able in these closing days of the Congress to advise our constituents as to what the word "nonintoxicating" means as applied to cider and fruit juices in Title II, section 29, of the Volstead Act. I have done my duty in seeking the necessary information and I report to you the results. Perhaps in the next Congress we shall be able to learn the alcoholic content of the beverages which may be legally enjoyed by the dwellers of the rural communities of America.

Mr. OLIVER. Mr. Speaker, under the permission of the House to extend my remarks, I desire to review briefly the legislative history of the Government's Muscle Shoals enterprises—water-power and nitrate plants. In doing so I realize that my remarks would be extended quite too long if I should undertake to review in any detail the history of the Government's Muscle Shoals enterprises from the date of the national defense act, passed in 1916, authorizing these enterprises, to November 11, 1918, the date of the armistice.

MUSCLE SHOALS PLANTS NECESSARY FOR MILITARY PREPAREDNESS.

The lessons of the war and its enormous consumption of nitrogen for explosives make it clear that to criticize the policy of the Government in establishing nitrate plants at Muscle Shoals and developing water power for the national defense of the country is to make a mockery of preparedness for war. No nation can claim that it is prepared to defend itself unless it is prepared with a supply of its own nitrogen for explosives.

Therefore I will review briefly the Muscle Shoals case from the date of the armistice to the adjournment of the Sixty-seventh Congress. Right at the outset our national pride suffers humiliation, for we find that the United States engineers advised Congress in reports on Muscle Shoals that it would require about three years, or possibly four, to build Dam No. 2 and complete its power development.

The order for building Dam No. 2 was issued February 25, 1918, and there was a brief suspension of work on account of war demands for labor and material, but work on the dam was promptly resumed after the signing of the armistice.

In the hearings on Muscle Shoals we find our engineers now advise us that power will not be ready for service at Dam No. 2 earlier than 1925, and if power is ready then we shall have been seven years building the dam and completing the power development.

UNITED STATES OUTDONE BY CANADA AT QUEENSTON.

Every sentiment of national pride is humiliated when we contrast a very similar power development at Queenston, Province of Ontario, Canada, which was started at about the same time as Dam No. 2 at Muscle Shoals, for at Queenston on the Niagara River the Canadians have had 150,000 horsepower of their development in service for nearly a year. Why is it, Mr. Speaker, that the Canadians at their Queenston power development—about equal to our development at Dam No. 2, Muscle Shoals—can get 150,000 horsepower in service in about four years, when at Muscle Shoals we take about seven years to get 100,000 horsepower, perhaps, in service? The answer, Mr. Speaker, is that we have failed to agree upon a policy at Muscle Shoals.

The construction work on Dam No. 2 had been about 30 per cent completed in the fall of 1920 when the United States engineers requested of Congress that $10,000,000 be appropriated in the sundry civil bill during the last session of the Sixty-sixth Congress. This appropriation was refused, the leaders of the majority in the House contending that further investigation should be made of the Government's water power and nitrate enterprises.

MAJORITY RESPONSIBLE FOR DELAY.

The appropriation failed because the responsible majority of the House refused to adopt a policy at Muscle Shoals. All of the facts inviting the responsible majority of the House to adopt a policy were well understood, and Congress was well advised by the United States engineers.

With the failure of the appropriation of $10,000,000 the work was shut down at Dam No. 2, with the loss of a year's time and a money loss estimated at more than a million dollars.

The present Secretary of War upon taking office made public announcement that he would not favor sending any more "good money after bad" at Muscle Shoals; but if anyone would propose to the United States to pay a fair rate of interest on the future cost of completing the locks, dam, and power houses at Dam No. 2, he would favor their completion.

CHIEF OF ENGINEERS ASKS FOR BIDS.

Under instructions of the Secretary of War, the Chief of Engineers on April 2, 1921, sent out proposals to those who might possibly be interested which read as follows:

The Secretary of War has directed me to ascertain what arrangements can be made to derive a reasonable return upon the investment if the United States completes the dam and hydraulic power plant at Muscle Shoals, Tennessee River.

If you are interested I would be pleased to discuss the matter with you at this office at the earliest date that may be mutually determined.

It is desired to develop the matter and come to a conclusion at as early a date as possible.

In answer to this invitation a number of power companies—notably the Alabama Power Co.—explained why they could not make an offer to complete the dam and power development at Dam No. 2, and four power companies in a joint statement to the Chief of Engineers declared that the power development at Dam No. 2 was not feasible; that the secondary—or irregular and unreliable—power was so large a part of the total development as to prohibit investment in the same.

FORD OFFER HELD UP FOR SEVEN MONTHS—ALABAMA POWER CO. OFFER HELD SIX DAYS.

Among those invited to propose was Henry Ford, and his proposal was signed and sent to the War Department on July 8, 1921.

The Secretary of War held Mr. Ford's offer under consideration until February 1, 1922, when he transmitted Mr. Ford's offer to Congress—nearly seven months after its receipt by the Secretary.

On February 15, 1922, the Alabama Power Co. reversed its position, and in the face of that company's letter to the Chief of Engineers explaining that the company could not make an offer in response to his invitation, they submitted a proposal for Dam No. 2, at Muscle Shoals, to the Secretary of War, and the Secretary promptly transmitted the Alabama Power Co.'s offer to Congress six days after its receipt—not six months, but six days after its receipt!

The partiality of the Secretary of War to the Alabama Power Co. is understood, but it is difficult to understand at all, Mr. Speaker, how the Secretary of War could withhold Mr. Ford's offer from Congress for seven months when Mr. Ford proposed in his offer to make 40,000 tons of fixed nitrogen at nitrate plant No. 2 and send the Alabama Power Co.'s offer to Congress in six days when that company did not propose to produce any fertilizer at all. We feel all the more wonder and astonishment at the Secretary's delay in sending the Ford offer to Congress and his promptness in sending the Alabama Power Co.'s offer to Congress in six days, when the Secretary stated at a

hearing before the Committee on Military Affairs that he would favor the Ford offer if he thought Mr. Ford would produce fertilizer at Muscle Shoals. This Mr. Ford does agree to do, but the Alabama Power Co. made no offer at all to produce fertilizers, and its president stated to the Agricultural Committee of the Senate that his company was not prepared to go into the fertilizer business at Muscle Shoals.

TWO POLICIES OF CONGRESS AT MUSCLE SHOALS.

Congress definitely defined in section 124 of the national defense act of 1916 two policies with reference to the nitrate plants at Muscle Shoals: First, that these plants should be built to provide a supply of nitrogen for explosives in time of war; and, second, to provide fertilizers for the farmers' needs in times of peace. Nearly five years have now passed since the armistice and still the Sixty-seventh Congress adjourns without voting on the Ford offer. Though it is over 18 months since Mr. Ford made his proposal, we adjourn, Mr. Speaker, without accepting or rejecting the offer which the Government invited Mr. Ford to make.

ADMINISTRATIVE AND LEGISLATIVE CHRONOLOGY.

The administrative and legislative steps taken with reference to Muscle Shoals since Mr. Ford's offer may be stated by dates as follows:

July 8, 1921. Proposal by Henry Ford delivered to Secretary of War and its terms made public.

February 1, 1922. Ford offer transmitted by Secretary of War to the Speaker of the House, nearly seven months after its receipt.

February 8, 1922. Hearings begun before Committee on Military Affairs of the House exactly seven months after Ford proposal was received by the Secretary of War.

February 15, 1922. Proposal of Alabama Power Co. made to Secretary of War.

February 16, 1922. Senate hearings begun on Norris bill and on Ford and other offers for Muscle Shoals, with no hearings in the Senate from February 17 to April 10.

February 21, 1922. Alabama Power Co.'s proposal sent to Speaker of the House—six days after its receipt.

June 9, 1922. House Committee on Military Affairs, after hearings, reported in favor of Ford offer.

June 20, 1922. Kearns minority report issued from House Committee on Military Affairs.

June 24, 1922. House adopts Senate amendment for appropriation of $7,500,000 to continue work on Dam No. 2 with James amendment to postpone use of appropriation until October 1, 1922.

July 20, 1922. Norris report from Senate Committee on Agriculture and Forestry issued on Muscle Shoals.

August 4, 1922. Ladd report from Senate Committee on Agriculture and Forestry issued on Ford offer for Muscle Shoals.

February 15, 1923. House Committee on Rules refuses to bring out rule to permit a vote on the Ford offer.

March 4, 1923. Adjournment of Sixty-seventh Congress without action on the Ford offer, without adopting any policy at Muscle Shoals.

NO POLICY YET ESTABLISHED AT MUSCLE SHOALS.

It is not denied that some of the Members of the House—some of its leaders—have contended that additional appropriations in the Army bill for Dam No. 2 of $6,998,000 for carrying on the work there, and the authorization of $10,501,000 additional for continuing contracts is sufficient as an administrative and congressional policy at the present time for protecting and promoting the Government's power and nitrate plant developments in the interest of the public. But, Mr. Speaker, these appropriations establish no policy at all; they establish neither a water-power policy nor a fertilizer policy at Muscle Shoals.

It is now timely to inquire, it is very practical and pertinent to ask, What has the failure of the administration and Congress to adopt a water-power and fertilizer policy at Muscle Shoals cost the taxpayers of the country? What have the taxpayers lost and what have the taxpayers gained, what have the farmers lost and what have they gained?

FAILURE TO ADOPT A POLICY HAS COST $5,000,000.

I measure my words, Mr. Speaker, and after careful consideration and deliberation I declare to the House that the failure of the administration and Congress to adopt a policy at Muscle Shoals, now nearly five years after the armistice, has cost the taxpayers of this country not less than $5,000,000. The farmers of the country have gained nothing, but have been denied by the Rules Committee and the leaders of the House that which the farmers of the country appealed to the House to give them—a vote on the Ford offer and its acceptance.

MAJORITY WISHED TO VOTE ON FORD OFFER.

That a majority of the Members of the House earnestly and righteously desired to vote on the Ford offer before adjournment, and to accept it or reject it, there are too many evidences in the RECORD to leave any doubt. The decisive majority of 37—144 yeas, 107 nays—in favor of the James amendment on June 24, 1922, postponing the availability of the appropriation of $7,500,000 for Dam No. 2, had no other purpose than to settle a policy at Muscle Shoals. There has been criticism of the action of the House in adopting the James amendment suspending this appropriation until October 1, 1922. Some good people in my own State, Mr. Speaker, have criticized the solid vote of the Members from Alabama in the House in favor of the postponement of the appropriation. But, Mr. Speaker, the vote of the Alabama delegation in the House in favor of the James amendment was sound, was logical, was constructive. Every Member of the House who voted for the James amendment voted for a policy and in fact voted for the Ford offer. To have voted against the James amendment was to have voted against the Ford offer and against adopting a policy at Muscle Shoals.

PURPOSE OF THE JAMES AMENDMENT.

The Alabama Members of the House in voting for the James amendment desired to have three policies settled: First, to assure the completion of both Dams Nos. 2 and 3 and complete the navigation improvement of the Muscle Shoals section of the Tennessee River; second, to adopt a permanent water-power policy at Muscle Shoals; and third, and above all, to secure the production of fertilizers at nitrate plant No. 2 by giving the House the chance and the time to vote on and to accept the Ford offer.

The vote of the Members of the House in favor of the James amendment was intelligent, was constructive, was creative, was economic. The Members from Alabama showed by their vote that they were above seeking and voting for a mere appropriation for continuing the work on the Wilson Dam without a policy; they were in favor of settling a national policy at Muscle Shoals. We Members from Alabama cleared ourselves by our vote on the James amendment of any suspicion or feeling on the part of any Member of the House that the Alabama Members considered Muscle Shoals, or desired Muscle Shoals to be considered, as a local question.

Mr. Speaker, some of the so-called arguments, some of the trumped-up reasons for delaying an established legislative policy at Muscle Shoals have been amusing, some have been subtle, some pathetic, and nearly all absurd.

NO SUBSIDY TO FORD AT MUSCLE SHOALS.

One of the objections proposed against the acceptance of Henry Ford's offer for Muscle Shoals is that to do so will grant him a subsidy. The supporters of the Ford offer emphatically deny that its acceptance by Congress would grant Mr. Ford a subsidy. There are no facts, nor policies, which Congress has ever adopted which will sustain the contention that Mr. Ford has asked for a subsidy or that there is any subsidy of any sort contained in a single provision of his offer.

However, we have heard much of subsidies of late, and the advocates of the Ford offer, denying that any subsidy will be granted Mr. Ford by the acceptance of his offer, nevertheless are willing to contrast the ship subsidy as passed by the House with the Ford offer as a subsidy, if by any pretext or legislative invention it can be considered as a subsidy.

The President in his address to Congress on February 28, 1923, urging the adoption of the ship subsidy, used this expression:

> But the nation-wide desire to restore our merchant marine has outlived all defeats and every costly failure.

The advocates of the Ford offer would paraphrase this sentence as follows:

> But the nation-wide desire to restore our soil fertility will outlive all defeats and every costly failure—

because the Sixty-eighth Congress will accept the Ford offer. The acceptance of the Ford offer is delayed, not defeated. The ship subsidy, as proposed by its authors, was defeated, not delayed.

TWEEDLEDUM AND TWEEDLEDEE.

Private enterprise, American initiative as a rule, strenuously opposes subsidies, but not, it seems, in the case of the ship subsidy, for when private enterprise is invited to buy our war-built ships and run them, they ask for Government credit and a Government subsidy. So we find that subsidies are favored or opposed according to whose ox is gored, and when Henry Ford is invited to make a bid for the Government's power developments at Muscle Shoals and the nitrate plants there, and operate them in the production of fertilizers, and offers to

do so, private interests howl that the acceptance of the Ford offer is to give him a subsidy.

Private interests do not object to the appropriation of $500,000 to help free the rubber trade of the country from British domination. Yet when Henry Ford offers to free the farmer from British control and price-fixing of Chilean nitrates, private interests protest and indeed defeat action by Congress on Henry Ford's offer and call it a subsidy.

COMPARISON OF SHIP SUBSIDY AND FORD OFFER.

In the case of the ship subsidy it was proposed to take the Government out of the shipping business; those who favor the acceptance of the Ford offer propose to take the Government out of the power and fertilizer business. The annual cost to the Government as provided in the shipping bill passed by the House would be over $40,000,000 for 10 years; but the annual cost to the Government if Mr. Ford's offer for Muscle Shoals is accepted, will be approximately nothing. The ship subsidy bill passed by the House calls for an expenditure of $125,000,000 which the Government is to furnish as a loan to the ship operators at 2 per cent, and then the bill provides for at least $41,500,000 annually for 10 years and gives this amount to the ship operators as a subsidy to enable them to repay the loan. Mr. Ford, on the other hand, proposes to pay 4 per cent on the future cost of the dams whatever it may be, say $42,000,000, for example, and pays back in 100 years the total future investment of the Government in the dams and pays for the maintenance and operation of the dams and locks as well as the power houses and their equipment.

Shall the Nation's merchant marine be subsidized and agriculture and its fertilizer necessities be ignored and no policy adopted at Muscle Shoals to give aid?

GOVERNMENT AIDS TO TRANSPORTATION AND IRRIGATION.

The Federal Government has aided and supported with its credit a variety of enterprises and projects. The United States participated in aiding and financing the pioneer railroads of the country and has made land grants to aid in the construction of railroads, wagon roads, canal and river improvements. In the aid of wagon roads the Government has issued land grants of 3,245,431 acres. In the aid of construction of canals, Government land grants have been made to the extent of 4,597,668 acres, and in the aid of river improvements the Government has issued land grants amounting to 2,245,252 acres, while Government grants in aid of railroad construction have reached a total of 158,293,736 acres. The Government's reclamation of the arid West is both a paternal and an internal improvement, but essentially a cooperative arrangement between the Government and private interests. In our reclamation projects the Government has expended more than $200,000,000, and if Henry Ford's offer for Muscle Shoals can be classed as a subsidy, then the reclamation of the arid lands of the West can be classed as a subsidy.

In the field of Government subsidies, either by direct appropriation or by extending of credit, transportation has been the pet of the Nation. In addition to Government credit and in addition to lavish donations of public lands by the National Government, large amounts of land have been given in aid of transportation improvements by counties, townships, cities, and villages. Besides these huge land grants to railroads, waterways, public roads, enormous both in area and in value, our railroads have received financial assistance from sources ranging from the National Treasury down through the States, counties, and cities to the donations of pioneers striving to carve out homes in the forests or to turn the prairies into farms. At one time the Pacific railways were indebted to the United States Government for bonds and unpaid interest to the extent of $130,000,000, which in due course was nearly all paid back.

$1,200,000,000 FOR RIVERS AND HARBORS WITH NO RETURN OF EITHER PRINCIPAL OR INTEREST.

To the "aids, gifts, grants, and donations," as a help to railway transportation, we may add our appropriations for rivers and harbors, aggregating since the beginning approximately $1,200,000,000, and also include the cost of the Panama Canal of approximately $400,000,000.

SHALL AGRICULTURE BE TURNED DOWN?

The basic industry of the country is agriculture. Shall it be aided? Shall Henry Ford be refused the opportunity at Muscle Shoals to aid it?

OBJECTORS TO FORD OFFER OBJECTED TO GOVERNMENT OPERATION ALSO.

The opposition to the acceptance of the Ford offer, constantly unreasonable and selfish, has failed at all times in consistency. Members of the House will remember that when the appropriation of $10,000,000 was proposed in the sundry civil bill, in March, 1921, we were flooded with propaganda against granting this appropriation. One example of this propaganda bore this title: "Arguments against the Construction of the Wilson Dam for the Operation of Nitrate Plant No. 2." The propaganda with this title was issued in a booklet by the ammonium-sulphate interests of the country. The same interests opposed both the building of the dam to operate nitrate plant No. 2 and the operation of that nitrate plant by the Government, insisting that if the Government operated the nitrate plant it would unfairly and destructively invade the field of private enterprise. But these same ammonium-sulphate interests oppose the acceptance of Henry Ford's offer, though he agrees to operate the nitrate plants of the Government at Muscle Shoals as a private enterprise.

GOVERNMENT RETAINS OWNERSHIP OF DAMS AND RIGHT TO USE NITRATE PLANTS.

In the ship subsidy as passed by the House the Government parts with its ships, but at Muscle Shoals under the Ford proposal the Government will not part with its ownership of the dams and their power developments, nor does the Government part with an assured supply to meet its needs of nitrogen for explosives in time of war. Mr. Ford guarantees all these for 100 years at his own expense and as a private enterprise. Yet, with all the guaranties and all of the assurances and all of the protection of the Government in the Ford offer, it has been declared by a Member of this House that—

The Ford offer unamended would represent one of the boldest and most brazen daylight robberies that has ever occurred in the history of this country.

FARMERS NOT FOOLED.

We are also warned that the farmers are being fooled by Henry Ford's offer. The gentleman from Tennessee [Mr. BYRNS], however, in his able address to the House answers as follows:

The farmers fooled! No; they have been buncoed by the majority leader of the House and the chairman of the Rules Committee.

The farmers and their friends in Congress challenge the gentleman from Ohio [Mr. KEARNS] and others who claim that the Ford offer is a "robbery" to tell the country why the leaders of the House, who are opposed to the acceptance of the Ford offer, refused to give the House an opportunity to vote on this proposed Ford "robbery." Why did they not vote on his offer and reject it if it is a "robbery"?

OPPOSITION WAS AFRAID TO LET FORD OFFER COME TO A VOTE.

The opposition to the Ford offer in the House, protected by its leaders, was afraid to let the Ford offer come to a vote; they knew it would be accepted. "For methods that are dark and tricks that are vain" the opposition to the Ford offer has shown skill and cunning in their distress.

COMMITTEE "TO DEFEND WATER POWER ACT" REALLY AN ORGANIZATION TO FIGHT FORD OFFER.

Take the case, if you please, Mr. Speaker, of the National Committee for the Defense of the Water Power Act. Here we find the Pinchot conservation lions lying down with the water-power company lambs. The ostensible purpose of the national defense committee, its personnel being composed of some of the most distinguished men in our country, was, as the committee announces, the defense of the Federal water power act, but the late activities and the recent influence of the members of this committee have all been directed against the acceptance of the Ford offer. In a daily paper in my State, Mr. Speaker, on November 1 we find as headlines to a Washington dispatch in regard to the national committee the following:

Strong body to fight Ford bid. Committee is formed at Capitol to take leading part in battle.

COMMITTEE MEMBERS BEING EXPLOITED.

Upon reading this and believing that members of the National Committee for the Defense of the Federal Water Power Act were being exploited by the power companies to defeat the acceptance of the Ford offer by Congress, I called on one of the most distinguished members of the national committee and explained the Ford offer to him. This member of the national committee, the Hon. John Barton Payne, sent in his resignation as a member of the committee and stated to me that he was not opposed to the Ford offer. I am informed that at least one other member of the committee has resigned, and I am not surprised. Indeed, I believe that a majority of the members of the national committee would resign if they knew that their names are being used in support of propaganda against the acceptance of the Ford offer and not really in defense of the Federal power act. I venture to suggest to the members of this House that Congress can defend the Federal water power act when it needs defense, for Congress passed the Federal power act.

MISLEADING PROPAGANDA AS TO LACK OF REGULATION OF MR. FORD.

One of the delusive arguments which the secretary of the national committee, Mr. Philip P. Wells, has sent in propaganda to Members of this House is that Mr. Ford, if he gets Muscle

Shoals, will be able to use and sell the power without any regulation of rates. It is amazing that the distinguished gentlemen composing the national committee would permit such a statement to be sent to Congress by any of its members, or allow such a statement to be promulgated and published to the country by its secretary. There is not a justice of the peace in my State, there is not a lawyer in the country but knows that Henry Ford, if his offer is accepted, must abide by the laws of the State of Alabama in all of his operations at Muscle Shoals, and in distributing and selling power for utility purposes his rates for such power will be fixed and regulated by the Alabama Public Service Commission. Congress can not take away the right of the State of Alabama to regulate and control Henry Ford's power rates, and the power act provides that when any State has a regulatory body to fix and control power rates then the Federal Power Commission can have neither control nor regulation of the rates.

As for power used in his own operations, the Federal power Act does not undertake to place any definite limit on the profit that can be made from its use, but Mr. Ford goes further than the Power Act and voluntarily limits the profit on his principal product—fertilizer—to 8 per cent on the fair, actual, annual cost of production.

MISREPRESENTATIONS AS TO TAXATION.

The propaganda of the national committee also claims that Henry Ford will escape taxation at Muscle Shoals if his offer is accepted by Congress. When Henry Ford establishes any business whatever at Muscle Shoals that business can be taxed under the tax laws of the State of Alabama, and I trust the Members of this House will accept my assurance that the legislature of my State will see that Henry Ford pays taxes at Muscle Shoals if Congress accepts his offer.

It came with poor grace, Mr. Speaker, from the secretary of the national committee, Mr. Wells, when in his interview in the Wall Street Journal of November 13 he is quoted as saying:

> Alabama Power Co.'s proposals comply fully with the water power act—

Said Mr. Wells—

> and are much better than the Ford offer.

COMMITTEE SECRETARY AN ALLY OF ALABAMA POWER CO.

This statement by Secretary Wells, of the national committee, uncovers the nigger in the woodpile, and this statement also will justify the conclusion by the Members of this House that as Mr. Wells, its secretary, can be assumed to speak for the committee, it is not now engaged in an organized effort to defend the water power act, but is allied with and engaged by the Alabama Power Co. and its allies to defeat the Ford offer.

I insert the following letter sent out for the committee by its secretary, Mr. Wells, to power companies asking for financial aid to meet the "necessary expenses" of the committee:

> Your cooperation is earnestly solicited for the defense of the Federal water power act of 1920. It is the best product to date of the conservation movement which was begun under the inspiration of President Roosevelt's leadership and has been continued under his successors. It prevents monopoly and safeguards public rights, yet the hydroelectric industry says of it through the Electrical World: "It is workable and just."
>
> Nevertheless it is under attack in the courts and in Congress. For a time it must be defended, as the national forest laws had to be defended, until it becomes firmly established as an indispensable part of our economic system. Therefore this committee has been formed with the personnel and officers above named. Your participation in meeting the necessary expenses is earnestly solicited.
>
> A subscription blank, addressed envelope, and detailed statement of the merits of the act and the doings of its enemies are inclosed. Please subscribe for such sum as you think proper, making your subscription payable to the Washington Loan & Trust Co., treasurer, and mail it in the addressed envelope to said company, which will make due acknowledgment of receipt.

Does the committee expect to employ lawyers to fight the suit of the State of New York against the power act now in the Supreme Court? Of course not.

COMMITTEE'S ACTIVITIES DO NOT FOOL THE FARMERS.

And do the members of the National Committee for the Defense of the Water Power Act think that the committee is fooling the farmers under the pretext of defending the national power act? No, indeed; the farmers are not fooled by such power interests and companies as the Electric Bond & Share Co. of New York, whose president, Mr. S. Z. Mitchell, is the dominant director of the Alabama Power Co. The farmers well understand that when Mr. Mitchell and his company contribute to the "necessary expenses" of the national committee, the Electric Bond & Share Co.'s contribution will be a part of the "necessary expenses" to defeat the acceptance of Henry Ford's offer by Congress.

WHAT THEY FAIL TO TELL.

The national committee, in sending out its propaganda against the Ford offer, fails to tell the public fairly that Mr. Ford has agreed in his offer to limit his profit to 8 per cent of the fair actual annual cost of production of the fertilizers he produces at Muscle Shoals.

In placing this limitation on the profits he makes on his principal product, Henry Ford is going further to protect the interests of the public than any licensee under the Federal power act, for no such licensee is definitely limited as to his profits when he uses the power for his own private manufacturing purposes.

Mr. Speaker, where can we find another case of a manufacturer or any corporation proposing that the sale price of the products from his plant shall be regulated and limited to 8 per cent of the fair actual annual cost of production?

WHY NOT SOME LEGISLATION TO BRING THE ALUMINUM CO. OF AMERICA UNDER FEDERAL POWER ACT?

Does the Aluminum Co. of America, on the Little Tennessee River, with its proposed water-power development of some 400,000 horsepower, propose to limit any part of its aluminum production to 8 per cent profit? And not only this, Mr. Speaker, when the national committee objects to Henry Ford's offer for a lease of 100 years of the water power at Muscle Shoals, does the committee ask Congress to bring the Aluminum Co. of America under the provisions, control, and regulations of the national water power act? No; the committee appears to be willing to have the Aluminum Co. of America on the Little Tennessee River in perpetuity—not for 50 years, not for a hundred years, but forever.

SOME THINGS THE COMMITTEE HAS OVERLOOKED.

The national committee insists that Mr. Ford in his offer should make his proposition under the terms of the Federal water power act, and the committee, along with others, complains that Mr. Ford will use nearly all the power at Muscle Shoals for his own manufacturing purposes and without any regulation. But, Mr. Speaker, wonderful to be told—and yet not so wonderful, either—the national committee enters no protest when the power commission awards Henry Ford a license for 50 years for the Government's dam at Troy, N. Y., on the Hudson River for his sole use, with the prices of none of the products of his plants regulated. And the national committee and its secretary, with offices in the Woodward Building in Washington, does not raise his voice and call the committee together when the power commission a few days since granted Henry Ford a license for 50 years for the Government's dam at St. Paul, on the Mississippi River. Mr. Ford is to use all of this power from the Twin City Dam for his own and sole manufacturing use, if Mr. Ford elects to do so, and for 50 years. Evidently, Mr. Speaker, there is no wrong—the public's welfare will be protected—when Mr. Ford uses the power at the St. Paul Dam for his own use for 50 years, but the national committee opposes the acceptance of Henry Ford's offer for Muscle Shoals, where he will use the power in operating his plants in the very same way that he is to use the power from the St. Paul Dam in operating plants which he now proposes to build in the city of St. Paul.

NO APPREHENSION IN THE REGION AFFECTED.

The business and agricultural interests in Alabama, Tennessee, and adjoining States are not afraid to have the power at Muscle Shoals leased to Henry Ford; they know it will be subject to State regulation and supplied at reasonable rates. The water power and fertilizer companies, however, are manifesting great alarm, and it is not difficult to understand the reason why.

According to the national committee and its allies, the power companies, the Federal power act protects the people against Ford robberies at the St. Paul Dam for 50 years; but when Henry Ford proposes to lease Muscle Shoals for 100 years, then the House is told by one of the defenders of the Alabama Power Co., one of the allies of the national committee, that—

> The Ford offer unamended would represent one of the boldest and most brazen daylight robberies that has ever occurred in the history of this country.

HOUSE LEADERS SOW THE WIND TO REAP THE WHIRLWIND.

Mr. Speaker, cheap inconsistency will not disguise the facts about the Ford offer, and the use of high-sounding phrases of denunciation of Mr. Ford and his proposal will never fool the farmers nor halt them in their determination to secure their own economic rights at Muscle Shoals through the acceptance of Henry Ford's offer. The leaders and the members of committees of this House who have obstructed the farmers at Muscle Shoals and delayed the acceptance of Henry Ford's offer before the adjournment of the Sixty-seventh Congress idly and foolishly sow the wind to reap the whirlwind.

Mr. Speaker, in making a review of the Muscle Shoals-Ford case I have felt—and I say it without criticism but with regret—

that although Mr. Ford's offer is unusual and new, it has failed to receive the studious attention and consideration by the Members of the House that the offer deserves.

AMERICA HAS YET TO LEARN THE IMPORTANT LESSON THAT "NITROGEN IS BREAD."

I fear that we have not realized that "nitrogen is bread," and that we have delayed all too long in voting upon the Ford offer and accepting it. We have delayed too long in deciding upon a policy at Muscle Shoals which, in the next quarter of a century, I believe, will free the United States from depending upon Chile for our "nitrogen bread" and put an end to Chilean nitrate importations, for which we have paid Chile a billion dollars since our Civil War.

What nitrogen means to a country is illustrated in a news item from Berlin published in the New York Times of December 30, 1922, as follows:

[From the New York Times, December 20, 1922.]

SAYS NITROGEN EXPORT WOULD RUIN GERMANY—EXPERT OPPOSES FRENCH DEMAND FOR 60,000 TONS—COMPARES IT TO 1,500,000 TONS OF GRAIN.

BERLIN, December 29.—"Nitrogen is bread," asserts Dr. Nikodem Caro, well-known German agricultural expert, declaring that fulfillment of the French demand for the delivery of 60,000 tons of pure nitrogen would intensify Germany's food problem to the point of catastrophe.

The amount of nitrogen demanded by France, he adds, is equivalent to 300,000 tons of ammonium sulphate, and its loss to German agriculture would result in a harvest decrease amounting to 1,500,000 tons of grain or about 6,000,000 tons of vegetables. It would cost 200,000,000 gold marks to replace this grain, which sum he declares it impossible to obtain under present conditions.

Doctor Caro claims that through the partition of Upper Silesia Germany lost one of her largest nitrogen plants to Poland and was thus cut off from an annual supply of 30,000 tons. This meant a reduction of 750,000 tons in the grain yield yearly, which reverse could not be offset for at least two years.

Germany needs 340,000 tons of nitrogen for her own requirements annually, he says, disputing the charge recently made in the French press that Germany had a surplus and could meet the French demand if she desired.

Doctor Caro, one of Germany's leading authorities on nitrogen fixation, says "nitrogen is bread," and he protests against the demand of France for the delivery of 60,000 tons of pure nitrogen from Germany's air nitrogen fixation plants. He says to give France 60,000 tons annually of the pure nitrogen produced in Germany will result in a harvest decrease in Germany amounting to 1,500,000 tons of grain; and when we think of this we ought not to forget that Henry Ford has proposed to produce 40,000 tons of pure nitrogen annually at Muscle Shoals.

SHIPPING AWAY OUR SOIL FERTILITY.

Each crop year in the grain-growing States the nitrogen in the soil on the farms of these States is being consumed at home and shipped abroad. Already our exports of wheat are negligible and the production of wheat per acre, on account of diminished soil fertility, especially nitrogen fertility, is decreasing year by year.

It has very truly been said:

The United States in our time is undergoing profound and far-reaching changes. The first great chapter of the Nation's history is closing with the passing of the public lands. From the earliest years of our national existence almost until the present the main work of our people was to acquire and to occupy the public domain, continental in extent. The continent, however, is now practically occupied; there are no longer great stretches of free land rich with all manner of unowned, undeveloped resources. We have come, consequently, to new national bases of life, and are forming new national habits. Our country, in truth, has entered a period of fundamental readjustment—economic, social, and political.

WHEN AGRICULTURE SUFFERS SOCIETY WILL SUFFER ALSO.

In this fundamental readjustment agriculture must find the first place in our policies of government. No theories of government with "social panaceas," or "political poultices," will solve our national problems; only a realization of our agricultural problems and needs, with adequate and constructive legislation, will accomplish our successful economic, social, and political readjustment. We will be a vain people if we forget that the earth supports us; and we will fail as a nation if we embarrass and burden agriculture, the basic foundation of all our wealth. If we let agriculture suffer society will suffer, for whatever supports and advances the interests of agriculture supports and advances the happiness and prosperity of the American people.

WHY SUCH PROMPTNESS TO HELP IN RUBBER AND NO HELP AT ALL IN NITRATES?

These observations are made, Mr. Speaker, in order not only to remind the House but to emphasize the fact that the fertilizer-using farmers of this country will ask: "How is it that we promptly appropriate $500,000 to investigate and determine how the rubber trade of this country can be relieved from British domination and price fixing, when over one hundred millions of dollars have been invested at Muscle Shoals in nitrate plants and water power, and yet the Sixty-seventh Congress adjourns and goes home and refuses to accept the offer of Henry Ford to relieve the farmers of this country from the British control and price fixing of nitrates, though Mr. Ford, at the invitation of the Government, made his offer 18 months ago?"

FARMERS NOT SATISFIED WITH ARGUMENTS OF OPPOSITION.

The farmers will fairly insist that the denunciation and defamation of Henry Ford's offer by the gentleman from Ohio [Mr. KEARNS], found in the extension of his remarks in the RECORD of March 5, 1923, do not answer the clear, clean-cut, and convincing business statement on Muscle Shoals by the chairman of the Appropriations Committee, Mr. MADDEN, to be found in the RECORD of February 3, 1923.

Likewise the farmers will not accept the eulogy and defense of the Alabama Power Co. by the gentleman from Nebraska [Mr. JEFFERIS] in his extension of remarks in the RECORD of March 2, 1923, as a reply to the speech of the gentleman from Michigan [Mr. JAMES], entitled "Is the fertilizer provision of the Ford proposal a 'joker'? No! It is a positive guaranty," found in the RECORD of January 16, 1923.

The farmers will ask why the Alabama Power Co. and its allies did not reply to the remarks of the gentleman from Illinois [Mr. MCKENZIE] on Henry Ford's offer for Muscle Shoals, though Mr. MCKENZIE's remarks were published in the RECORD of December 22, 1922.

GOVERNMENT-OWNERSHIP SCHEME NO MATCH FOR FORD OFFER.

Mr. Speaker, the farmers will have a question to ask of those who endorse the statement of the chairman of the Senate Committee on Agriculture and Forestry [Mr. NORRIS], when he says of the Ford offer, "It is the greatest gift ever bestowed upon mortal man since salvation was made free to the human race."

In the able views submitted by Senator LADD, from the Senate Committee on Agriculture and Forestry, for himself and his colleagues, a comparison is made between Ford operation and Government ownership and operation at Muscle Shoals.

The farmers will ask, I say, of all those who chorus the fine phraseology of Senator NORRIS, to answer, if they can, this deadly and conclusive parallel.

Mr. COLE of Iowa. Mr. Speaker, the time to-day will not permit me to review the record of this Congress, but in connection with the little that I can say I ask permission to extend my remarks in the RECORD.

The Sixty-seventh Congress came into being at a critical time after the World War. It was a time of deflation, discontent, and even distress. From all sides came the clamor for relief.

Following the Great War we had entered on a period of speculation and expansion. The first armistice day had been celebrated in an orgy of victory. The necessities of war had exaggerated both prices of products and the wages of labor. Staggering inflation followed. In my own State land that had been worth around $200 an acre was bought and sold in a wild scramble for from $300 to $500. Banks loaned liberally and the people spent extravagantly. The borrowing of money was encouraged by even the Federal reserve banks.

But the illusion soon became a delusion. Deflation followed inflation as the night follows the day. Those who had sown the wind reaped the whirlwind. In alarm the Federal reserve banks increased their discount rates. The local banks, many of them heavily overloaned, were forced to curtail credits or to stop them entirely. Those who had borrowed were told they must pay. In the liquidation that followed prices fell rapidly. On the farms they sank below the lowest records. In the cities factories were closed and industries disarranged. It is estimated that between four and five million people were thrown out of work.

This disastrous reaction began early in the autumn of 1920. The political party then in power, and which had been in power during the war, made every effort to minimize the political effect of the reaction, but it was in vain. In December of that year the outgoing Secretary of Agriculture wrote in his report that the crops of that year were worth $3,000,000,000 less than the smaller crops of the year before. "God forbid," later exclaimed a Democratic Senator [Mr. HEFLIN], "that another distressing time like that shall come upon our people."

It was under such conditions and in the face of such disasters that President Harding called the Sixty-seventh Congress to meet in extraordinary session on the 11th of April, 1921. In history we must go back to the time when James Buchanan turned a disrupted country over to Abraham Lincoln to find a comparison for the situation that confronted the Congress and the administration in the spring of 1921. The whole land was a seething mass of clamorous discontent, out of which many theorists emerged with dangerous cure-alls for a sick nation.

So serious was the predicament and so urgent was the relief demanded that three great emergency acts were passed immediately in the hope of averting the impending panic.

One was an emergency tariff act to displace the low-revenue tariff which had been enacted in 1913 with the incoming of the Wilson administration. Farm products were especially considered in this hasty legislation. The hope was to conserve what was left of the buying powers of the American people for American products.

The second was an emergency act to restrict immigration. This was complementary to the emergency tariff act. The one supplemented the other. The war weary and the war wrecked were then turning their eyes westward. Without restrictions they might have flooded America, only to add to the number of the unemployed.

The third emergency act, which followed in due time, was intended to restore credits for the rural districts, where the borrowers could not pay their debts and where the banks, filled with "frozen credits," could no longer function. For this purpose what was known as the War Finance Corporation, with left-over assets of half a billion or more, was revived. Under a splendid administration of this organization, sound in business and sympathetic in purpose, there followed an immediate revival of confidence and a resulting advance in the prices of farm products.

Having with these three measures arrested the threatened panic, the Congress proceeded to consider and to formulate more permanent remedial legislation.

At the outset it was realized that there must be curtailment in public expenditures lest the people already in distress should be taxed to death. During the war, and even after it, expenditures had been multiplied to the point of waste and extravagance. Efforts to curtail them had been unavailing. A budget act passed by the Sixty-sixth Congress had been vetoed by the President for specific reasons.

The creation of a budget system was deemed the one greatest need, involving a businesslike supervision of estimates, appropriations, and expenditures. With 39 committees proposing appropriations and ten times as many executives spending them, no economies were possible. I am proud to say that the Budget bill that was passed was largely the work of my predecessor in Congress, the Hon. James W. Good, then chairman of the Committee on Appropriations, in cooperation with President Harding, who approved it. After a trial of two years this Budget system has proved its worth. It is an outstanding act in the legislation of the Nation.

The Budget system that made it possible to reduce expenditures also made it potentially possible to reduce taxes. The expenditures of the Government, which had been $5,116,000,000 for the fiscal year ending June 30, 1921, were brought down to $3,372,000,000 for the year ending June 30, 1922. The tax revisions and reductions that were made effected a saving of $1,515,000,000 for the taxpayers, a relief that gave a new impetus to business and a new hope to all men. The taxes on transportation, which had added $350,000,000 a year to the burdens of travelers and shippers, were repealed in toto. Excessive profits taxes, which had been multiplied many times before they reached the ultimate payers, were abrogated. All the petty trade taxes that had annoyed the people were swept away as nuisances. The surtaxes were readjusted, but still leaving them at 50 per cent on the higher incomes, and the normal income taxes were reduced by increasing the exemptions so that the man of average family paid none on the first $3,700 of income, virtually relieving all those of moderate incomes.

With all these tax reductions, so carefully were the resources of the Government used that at the end of the first fiscal year under the new administration there was a surplus of $300,000,000, which was applied to the reduction of the national debt. It is a record of unparalleled efficiency in government. In the four years during which the Republican Party has been in control of Congress, which means in control of taxes and appropriations, the national debt has been reduced an amount greater than the reductions from the close of the Civil War to the commencement of the World War. Where is there a record that is a parallel to this? And yet it has been said that this has been a do-nothing Congress.

In the making of the emergency tariff special attention had been given to the agricultural schedules. But it was all the time apparent that the tariff alone could not solve the problems of the farms. The whole basic industry of agriculture was disrupted. The necessities of the war had deranged all its processes. High prices had stimulated expansions and speculations. Falling prices had left it prostrated. New methods for marketing and financing had to be formulated. A joint commission of inquiry was created to study the whole subject. The reports of this commission are monumental, and on them much of the new legislation has been based. President Harding dignified the whole situation by calling a national conference on agriculture, a conference that for a time divided public honors with the historic disarmament conference.

A tentative "farm program" of legislation was outlined, and most of it has been enacted. No such work for a great industry was ever before attempted or accomplished by a Congress. The Sixty-seventh Congress will stand in history as one that was "agriculturally minded." But the legislation enacted was not sectional nor occupational. It was truly national. It was based not on special privileges but on the greatest good for the greatest number.

I can not here enumerate all the enactments on this subject. We have on the statute books to-day an act for enlarging and safeguarding cooperative marketing, an act to supervise the packing of meats, an act to curtail the manipulation of grain prices through speculations in futures, an act to exclude filled milk from interstate commerce, and many other acts of like import and importance.

But the most important of this legislation may be the rural credits act, one of the last achievements of the Sixty-seventh Congress. This is a comprehensive measure, including permissible loans up to $25,000 by the Federal farm loan banks and the creation of a system of regional banks for the making of short-time commodity and live-stock loans. It is hoped that this legislation will do away with burdensome interest rates and enable the farmers to sell their products in the more favorable markets instead of being driven to sell them in inopportune ones to meet maturing obligations. It is not too much to say that agriculture has been placed on a new basis in both commerce and finance.

In due time the emergency tariff and immigration provisions were remade into more permanent laws. These two acts are closely allied, the one involving foreign labor and the other the products of such labor. The restrictions on immigration have been extended to June 30, 1924. We are now admitting each year 3 per cent of the nationals in the census of 1900. This means that each year 360,000 immigrants can enter the United States. This number still seems ample. It takes into account not only the needs of the industries of the country but the processes of possible assimilation and what is called Americanization. This legislation is based largely on the belief that a harmonious American Nation is quite as important as big American business. Citizenship may be as important as factories.

What is known as the Fordney-McCumber tariff has already proved both its efficiency and its worth. Its enactment was so bitterly opposed that the bill was halted in the Senate for more than a year. It was put into effect in the face of the last congressional elections. It was said against this tariff that it would hamper imports and hinder exports. We were told that Europe would not buy from us if we did not buy from them. This became the slogan of the opposition to the new act, and it was so persistently used that it became something feared.

The new tariff has been in effect less than half a year. But the time has been long enough to prove that the new rates have neither hampered imports nor hindered exports. For December last American imports exceeded by $60,000,000 those of December, 1921. The only thing to be feared is that imports may become too large, displacing the products of our own labor. For the calendar year of 1922 imports exceeded those of 1921 by over $600,000,000. The custom receipts for the fiscal year ending June 30 next may reach $530,000,000, although they had been estimated at only $350,000,000, a further proof that imports have not been checked. The American markets are so favorable that foreign producers and manufacturers are willing to pay for the privilege of participating in them. It is only just that they should pay for this privilege in tariff rates what American producers and manufacturers pay in taxes. The American ought at least to be on an equality with the foreigner in the American markets.

As to exports, the decline of which was feared, or at least proclaimed, they have kept pace with imports. We are selling more abroad than we did before the World War. In 1913 we exported 99,000,000 bushels of wheat; last year, 165,000,000 bushels. Of corn we exported then only 45,000,000 bushels; last year, 166,000,000. Of meat products we exported then 1,300,000,000 pounds; last year, 1,840,000,000. The balance of trade is still running strongly in our favor.

The war left its own more direct chaos for the Sixty-seventh Congress to deal with. Domestic debts were unpaid and foreign debts unfunded. One of the first acts of the new Congress was to conclude a definite peace with both Germany and Austria and Hungary—a peace honorable to all concerned, safeguarding not only all national rights but the claims of private citizens who had sustained war losses.

During the war we loaned $10,000,000,000 to the nations associated with us in that undertaking. The evidences of these debts were somewhat indefinite, often hardly more than scraps of paper. A debt funding commission was created by act of Congress. The British debt, amounting to $4,600,000,000, has been funded on a basis satisfactory to both nations, and other debts are now in process of similar funding. Order is being worked out of chaos. The entangled mass in the hands of the Custodian of Alien Property has also been partly straightened out and provision made for the return of 93 per cent of such properties, the rest being held in abeyance pending the settlement of claims held by Americans against the German Government, but all of it will be returned ultimately.

When the Sixty-seventh Congress came upon the scene, the Government's care for the diseased and disabled and otherwise incapacitated of the World War was vested in many bureaus, often operated at cross-purposes and without adequate results. This Congress created the Veterans' Bureau, in which all such activities were centered. The law under which this was done has recently been amended and perfected. It is now the greatest of all the bureaus of the Government, disbursing one-seventh of all taxes. In the history of the world there is no like bureau, nor an instance of like munificence in caring for those who suffered in war. Compensation, hospitalization, and vocational training are alike provided for. That there has been confusion and even waste in these manifold administrations is true, but the work had to be organized in haste and amid the clamor of those in need.

Material prosperity, however, has not been the only concern of the Sixty-seventh Congress. The Porter resolution, dealing with narcotic drugs, may exceed in moral results the prohibition of alcoholic liquors in the United States.

The use of such drugs was accelerated by the World War. It has become a form of world slavery to evil in which the United States has shared increasingly. We are using 700,000 pounds of these drugs, where the requirements of medicine and science are only 25,000 pounds. All laws to regulate the transportation and the sale of these goods have been largely failures, for they are easily concealed. The resolution which this Congress has passed authorizes and directs the President to enter into negotiations with foreign governments for the suppression and prohibition of the production of the poppy and the coca plant out of which opium and cocaine and their deleterious derivatives are made. The assurances already received from foreign nations directly concerned hold out the greatest hopes of success. If this great evil can be conquered it will mean more accomplished for the welfare and happiness of mankind than would be represented in the abolition of all wars, for wars are only intermittent evils while these drugs are incessant ones. By taking this initiative America has reemphasized its moral leadership in the world, the one leadership that matters most.

To prepare America for its new duties in a war reconstructed world, and to secure for itself the advantages to which it is justly entitled, both of influence and trade, the whole foreign service of the Government is now being reorganized under an act of this Congress. Hereafter there will be coordinated efforts, diplomatic and consular, simplifying procedure and multiplying results. It is one of the most constructive pieces of recent legislation and it will be of far-reaching effect.

In foreign affairs as in domestic, the Harding administration and the Sixty-seventh Congress have been alert and not aloof. There has been no opportunity that has been neglected and no duty that has been disregarded. To advance American interests and to promote the welfare of all peoples has been the end constantly in view.

The transactions of the disarmament conference which met in the city of Washington on Armistice Day, 1921, will stand recorded in world history as of almost supersignificance. In calling and conducting that conference America held out a new hope to an afflicted world. Nine separate treaties were negotiated by the nine nations participating. All of them are important, but two of them supremely so. The first placed a limitation on naval construction, doing away with destructive competition between the five great sea-power nations—America, Great Britain, Japan, France, and Italy. The second established a basis for perpetual peace in the Pacific. We have to go back to the proclamation of the Monroe doctrine for a like international conception on the part of America.

More recent developments in Europe, and also in western Asia, have halted and hampered like proposals and negotiations on the part of the American Government in such vital matters as international finance and trade and the limitation of land armaments. But it is not yet too late to hope that the Harding administration may complete the contemplated triology of international achievements.

These activities and accomplishments disprove the oft-repeated allegations that America has abandoned its proper place in world affairs and that it has withdrawn from the performance of its duties and obligations in the comity of nations. Not aloofness but alertness in foreign affairs has marked the course of the Nation during the two years under consideration. The welfare of the whole world is still America's concern. It wants to help solve every problem that afflicts the nations. But in so helping and in so doing, it is not yet minded to abrogate its own national integrity and sovereignty. These it will continue to cherish and to maintain. It shall gain nothing for itself or for the world by becoming a petty contender in a hodgepodge of nationalities. But it may do much more by standing a distinct entity among the nations of the world, adhering consistently to its own ideals and exemplifying them in such a manner that they shall seem attractive and things to be desired by all nations. That is the leadership, political, but more moral, that America seeks. America covets the lands of none and it seeks to exercise no dictatorship over any.

If the Sixty-seventh Congress and the administration with which it has been associated have not solved all the problems of the world or even of America, I submit that they have wrought much and well. They have put under way the needed reconstruction that had to come after the destruction of the Great War. What was chaos has assumed the form of order. Hope has come out of seeming hopelessness. The future, I believe, has promise of being more golden than any past.

Expressed in mere material terms, we have the millions who were idle now employed and that at wages that were never before known in peace times. The factories are busy, short of laborers, and behind their orders in output. On the farms the improvements may be measured in terms of a basic cereal, corn, which has been advanced from 20 to 60 cents a bushel.

A portending financial and industrial panic in two short years has been changed into an era of industrial and financial prosperity. Compared with March, 1921, we are living in an altered land. Who shall say that the Congress and the Executive administration have not fulfilled and realized the pledges and hopes on which the great victory was won in the historic elections of 1920?

Mr. BLANTON. Mr. Speaker, within two hours the Sixty-seventh Congress will adjourn sine die. To me and mine part of its history has become of momentous importance. In the House of Representatives two unprecedented attacks, which few men in public life could survive, were made upon me. Through the grace of Almighty God neither injured me more than temporarily, for subsequent events have fully vindicated me. I harbor no malice against anyone. I seek no vengeance. I am ever guided by the admonition "Vengeance is mine, saith the Lord; I will repay." But defending one's good name is always permissible and excusable. Robbed of that, many of us would have nothing left. To present my side of these controversies I have secured this permission to extend my remarks. Embracing the attacks, the RECORD of the Sixty-seventh Congress would be unjust and incomplete did it not also contain my vindication.

THE SITUATION THEN EXISTING.

Let me briefly review the situation preceding these attacks. For several years I had made an uncompromising fight against autocratic domination of Government by labor unions and their leaders' notorious disregard of law and growing tendency toward complete anarchy. I made these fights not as their enemy but as the faithful friend of all men who labor. Just as Attorney General Daugherty asserted before the Chicago court, when obtaining an injunction against lawless strikes, that whenever it became apparent that labor unions were threatening the life of this great Nation, the Government would destroy such labor unions, I realized that if they would continue their existence labor unions must purge themselves of anarchy. I took the position that class legislation dictated by labor unions was just as harmful and pernicious as class legislation dictated by capital. I strenuously fought both, because together they ground the public between the upper and nether millstone. When the demands of labor unions were just I ardently supported them. But when I deemed their commands unjust I dared to disobey them, and opposed them vigorously.

HEADED THE UNION BLACKLIST.

Mr. Samuel Gompers and his affiliated leaders placed me at the head of their blacklist and demanded my political destruction. His unions exhausted every means possible to defeat me in the 1920 campaign, reliable citizens computing and asserting that approximately $100,000 was spent in my district in efforts to put me out of Congress, but without success. Many stalwart law and order members of labor unions loyally supported me.

Then some union publications asserted that even if they could not defeat me at the polls, they would yet find some means of getting rid of me.

HAD OPPOSED HOUSE LEADERS.

The Democratic and Republican Parties are composed of our trusting constituents back home, and we Representatives in Congress are merely their servants here to carry out their will, not here to blindly obey a few floor leaders, regardless. When I have differed with them on fundamental questions I have unhesitatingly refused to follow House leaders. This made some sore. I sometimes fought their plans, though without exception I always obeyed the Democratic caucus rules relative to binding caucus instructions. I have unflinchingly carried out the will of my constituents, even when it conflicted with the desires of my colleagues. I came here to serve the people, not my colleagues. Yet I gladly serve my colleagues when it does not conflict with the duty I owe my constituents.

ROLL CALLS FOR RECORD VOTES.

The RECORD shows that on February 10, 1922, I protested from the floor that only 10 Congressmen were present, though we were then debating a bill which would take $295,622,112 of the people's money out of the Treasury.

In order to demonstrate the continual absence of a quorum required by the Constitution, and that a mere handful of leaders framed and passed the various supply bills, and to preserve a record vote on important issues, I forced many roll calls, thus requiring Members to come to the Capitol. This led the distinguished gentleman from Massachusetts [Mr. LUCE] in indignation to exclaim:

> I recall that in the Sixty-sixth Congress on 126 occasions he [Mr. BLANTON] compelled a roll call, * * * so filching from me and every other Member 10 days of life. But he kept within the limits of the Constitution. I remember how time and again he has given us occasion for annoyance by his methods of obstructing the processes of legislation, but I must confess he usually has kept within the four corners of the rules of the House.

Thus certain colleagues fostered secret grievances against me because I forced them to attend some sessions occasionally, something they had impliedly promised their constituents to do when they took the oath of office. And why should not I resort to the rules of the House to obstruct and block bad legislation? What are the rules for? I deem it a great honor that in his editorial published in the Washington Star on February 18, 1923, headed—

REPUBLICANS IN HOUSE TO FACE BIG HANDICAP—WILL LACK PARLIAMENTARIANS—

the distinguished press representative, Mr. Will P. Kennedy, saw fit to include my name as one of the five picked by him as the leading Democratic parliamentarians in the next House, in which article he said:

"There is Representative THOMAS L. BLANTON, of Texas, generally referred to as 'obstreperous,' but BLANTON has learned the rules and the exceptions and the reasons therefor probably better than any of the younger Members of the House and has a peculiar quality of persistence and irrepressibility which even in this Congress has caused endless trouble for the Republican leaders."

AGAINST WASTE AND EXTRAVAGANCE.

After several years careful investigation I have about completed a personal survey of all the bureaus of this Government, checking up appropriations, finding out exactly where all the money goes and what benefit the people derive from same; and armed with such facts I have fought all waste and extravagance, big and little. But such fights made enemies.

POINTS OF ORDER.

The records will show that during the past six years many attempts have been made in the House to place in supply bills numerous wasteful legislative items involving millions of dollars, and that I have caused many of same to be eliminated by making timely points of order. And again I made enemies.

PRIVATE BILLS.

The records will show that during the past six years there have been many unmeritorious private bills, aggregating millions of dollars, on the calendar. Who, other than Mr. STAFFORD and myself, ever opposed them? On the days set apart for their consideration, with few exceptions, there would be no other Members on the floor except those having bills to pass, and they dared not oppose another's bill if they expected passage of their own. Thus, to keep bad bills from passing, I made a close study of these measures, and when I deemed them unmeritorious I unhesitatingly used every parliamentary procedure possible to block them. But in thus doing my duty I caused some colleagues to dislike me.

PERQUISITES OF CONGRESSMEN.

Believing that our Government should first be placed back on a sound financial footing, and that taxes and living expenses of the people should first be reduced, I have consistently fought and opposed the following: Raising our own salaries; excess mileage; junketing trips; furnishing annually cedar, oak, pine, or rosewood chests to Members at Government expense; paying Government salaries to barbers, chiropodists, manicurists, and bath attendants; paying the losses of the House restaurants out of the Treasury; selling merchandise other than needed office supplies on stationery accounts; and the annual $360,000 free garden seed waste. These fights have caused me to lose the friendship of several colleagues. But I carried out the pledges made to the people I represent.

THE GOVERNMENT PRINTING OFFICE.

In May, 1921, certain of the 4,440 Government employees in our Printing Office appealed to me for protection, asserting that the typographical union controlled the plant and forced all employees to join, pay monthly dues and assessments, and comply with union rules guiding them in their work, or resign.

I exhaustively investigated the plant and had the Public Printer declare that union affiliation was not mandatory. But the union dominated there just the same. Conditions were simply awful. When later on Millard French and John W. Powers claimed that, having families to support, they were not able to pay their regular union dues and assessments, and in addition pay the required extra 10 per cent of their salaries to the union to carry on the nation-wide typographical strike, and they withdrew from the union, they were shamefully abused by union leaders and kicked out into the gutter. Millard French filed with the Public Printer his affidavit, sworn to on September 5, 1921, showing that without any provocation whatever, Levi Huber, a union foreman, cursed and abused him unmercifully, calling him a black-hearted scab, and cursing the Public Printer and myself for interfering. The Public Printer suspended Huber for one day, and wrote three different letters to French, urging him to come back to work, but the intimidation caused French to be afraid and he did not return.

Under leave theretofore granted I had my report of this whole investigation printed in the daily CONGRESSIONAL RECORD of Saturday, October 22, 1921, it appearing on pages 7417, 7418, 7419, 7420, 7421, 7422, 7423, 7424, and 7425. It embraced evidence from witnesses showing that in other departments unions required Government employees to affiliate and pay union dues in order to continue in their jobs. With the exception of the Millard French affidavit, which covered only a part of page 7420, there was not one improper word in my entire report. And in the French affidavit, I deleted all improper language with dashes, identical with court reports. Most fortunately for me, nearly 40,000 copies of this daily RECORD containing my report were mailed to leading men and women in the 48 States on the morning of October 23, 1921. For as soon as it was read in Washington, labor unions rose up in arms, as their leaders knew that if the facts became generally known throughout the United States they would not much longer be permitted to force monthly dues and assessments from Government employees.

MONDELL EXPUNGES REPORT.

At 12 o'clock noon when the House met on October 24, 1921, the majority leader, Mr. MONDELL, without notice, moved that my entire report be stricken from the permanent RECORD. I asked him in all justice to give me 10 minutes to explain to Members what they were to vote on, but he refused. He admitted that the brief affidavit on page 7420 was the only part of my report that contained anything which could be urged as objectionable, yet instead of asking merely that the affidavit be stricken out he insisted that my entire 9-paged report be expunged. It had not occurred to him then that I should be expelled. That was an afterthought. But it was well known that labor unions were clamoring for my destruction, and that anyone who would help to destroy me would gain their lasting favor.

NATION-WIDE RAILROAD STRIKE.

I had been fighting to help avert the general strike already called, realizing that it meant ruin and disaster. On the preceding Friday I had addressed a gathering of business men in New York on the scope of this danger. On the night of October 24, 1921, I left Washington for Wheeling, W. Va., to address another big meeting of leading business men on the subject. I was seeking to benefit the 110,000,000 people of the whole United States.

MONDELL BREAKS ALL PRECEDENTS.

When the House met at noon on Tuesday, October 25, 1921—my forty-ninth birthday—the majority leader, Mr. MONDELL, presented his resolution to expel me. Learning my absence, he

had my office officially notified that it would be acted on Thursday, October 27, 1921.

Under the precedents, in all cases where the right of a Member's seat has been in question, the matter has been referred to a committee for report and such Member given ample time for preparation and allowed to face and cross-examine witnesses and to offer testimony and be heard in his own behalf. Even VICTOR BERGER was allowed counsel at Government expense and given months to be heard before a committee in his own behalf. But in my case all precedents were disregarded. The issue was not referred to a committee for examination and report. No witness appeared against me. Not one scintilla of evidence was offered against me. I was given no time to make preparation. I was not allowed to offer any testimony. I was up all night in my hurried return from Wheeling to Washington.

In the House of Representatives then were 302 Republicans. The gentleman from Wyoming [Mr. MONDELL] was their leader. These 302 Republicans were presumed to follow him whenever he called on them to vote. He thus was in control of a clear majority of 170 votes. I was reliably informed that he summoned many Republican Members to his office and demanded that they vote for his resolution to expel me. Thus was my jury "fixed" beforehand.

ONLY 204 MEMBERS VOTE TO EXPEL.

After the House met on October 27, 1921, the majority leader, Mr. MONDELL, moved the adoption of his resolution to expel me. He offered no witness or evidence against me. He rested the whole case upon his bare unsworn statement that I had "placed words in the CONGRESSIONAL RECORD that were unspeakable, vile, foul, filthy, profane, blasphemous, and obscene." He knew that the public would assume that I had used such language. When, as a matter of fact, the purpose and object of my whole report was to stop the use of such language in Government buildings. But the laws protect any Member for any statement made on the floor.

I had no redress against him in the courts. Because being a Member, his remarks were privileged, and the law prevented me from holding him accountable for same. And however unjust, the law permitted the press to repeat what he said, without fear of prosecution for libel. The RECORD shows that he did not know whether all Members who were to vote had read my report or not, but he "presumed that they had." I requested that in all fairness, excluding the affidavit objected to, that the balance of my nine-paged report, which contained not one improper word, should be printed in the RECORD in justification of my good intent and purpose, but the majority leader objected and would not permit it to go into the RECORD.

The vote on the resolution to expel appears on page 7676 of the RECORD. Only 204 Members voted to expel me. Two hundred and four Members out of a total membership of 435. Everything considered, this is most remarkable, for with 302 Republican Members in the House, to whom the majority leader could appeal, he was thus in control of a clear majority of 170 votes, if he could have had them present and controlled them all. He was their leader and could make it unpleasant for those who refused to follow him. The following letter and clipping from the Columbus Dispatch shows that he did influence some Members against their will:

COLUMBUS, OHIO, *November 2, 1921.*

DEAR MR. BLANTON: Inclosed is clipping from the Dispatch. I wanted you to know the tide had turned and you were vindicated. The goody-goody Congressmen will find that they are not sustained in their persecution. Continue your work for the people in stopping extravagance.

BENJ. F. EWING.

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[From the Columbus (Ohio) Dispatch.]

"The influence which Republican Leader MONDELL is supposed to have over Ohio Members of Congress has been subjected to severe strain as a result of the leader's drastic efforts to force the expulsion of Representative THOMAS L. BLANTON from the House. A number are saying they are through with Mr. MONDELL'S leadership.

"The dissatisfied ones assert that Mr. MONDELL'S course in the Blanton expulsion affair was punitive in the extreme and was inspired by a desire to get the Texan out of Congress, where he always has been a disturbing factor.

"It is but natural that after Leader MONDELL had gone to such lengths to oust the Texan and had failed there should be a weakening of his leadership, and the reaction is plainly noticeable in the Ohio delegation. The Ohioans say it was pressure that governed their votes in favor of expulsion and that they regret having yielded to the pressure.

"Representative CHARLES J. THOMPSON, of the Defiance district, is one of those who finally yielded to importunities to cast his vote to put BLANTON out of Congress, and now he is sorry he did. He says that his conscience is hurting him.

"'If I could recall my vote, I would do so,' he said. 'I am very glad the resolution providing for expulsion did not pass.'

"Representative JAMES T. BEGG, of the Sandusky district, is said to feel the same way about it. As assistant whip of the House, he was hardly in a position to resist pressure from above, but it is understood he has taken the position that never again will he be controlled in a similar way against his inclinations.

"Representatives SPEAKS and RICKETTS were the only two Ohio Members who broke with the House leader at the time the vote was taken. General SPEAKS has stated that he would have voted against expelling BLANTON if he had been the only one of the 435 Members to do it. General SPEAKS believes there is no Member of Congress who leads a cleaner life than BLANTON and that his personal conduct is above reproach."

The majority leader expunged my nine-page report from the permanent RECORD, but he could not destroy it. Like Banquo's ghost it has arisen many times to confront him. I purchased 100 copies from the Public Printer to show citizens. He was not able to destroy the 40,000 copies of the original RECORD of October 22, 1921, containing my report, which had already been mailed into the 48 States. His action merely enhanced interest in it and caused the addressees not only to read it themselves but each to show it to scores of others. And from over the United States I have received several thousand letters from eminent ministers, lawyers, doctors, teachers, judges, editors, farmers, merchants, bankers, and good women, who, after giving careful study to this report, state that I should have been commended rather than condemned. In illustration, I will quote just a few typical of them all:

[From Little Rock Daily News.]

NOVEMBER 8, 1921.

BLANTON employed initial letters and dashes to indicate the vile words. Had BLANTON not in some way brought the language out in his speech, he would not have made out his case.

The News wants even one Member of Congress, who so violently opposed BLANTON'S use of the initial letters and dashes, to tell us just how BLANTON would have gotten the facts before the Congress if he had not used them.

Be it said to BLANTON'S credit that if he fights hard he also fights fair, and that he fights for what he conscientiously believes is right.

BLANTON did not indorse such language; he was condemning it. No little child and no woman would understand the letters and dashes.

BLANTON believed that the people should know about it. And why shouldn't they? Does not the Government Printing Office belong to the people? Are they not entitled to know the conditions there?

The tempest in the teapot would have been not so riotous if BLANTON'S exposé had not somewhat unsettled ancient customs at Washington and thrown the searchlight of public disapproval on some Government secrets that had been hidden in the closets these many years.

Right and justice are American qualities, and by holding BLANTON up to public scorn Congress can not cover up the fact that the Government Printing Office at Washington is the most disgracefully conducted department in the whole American Government. BLANTON may be able to come back.

—

KANSAS CITY, MO., *October 28, 1921.*

MY DEAR MR. BLANTON: I am still your friend and unshaken by any of the events of the last few days. Don't let this "tempest in a teapot" crush your spirit.

The whole episode appears half ludicrous. Who would have thought that a "pious front" by the most saintly gentlemen who have been seeking to "oust" you is of more importance than the actual facts affecting our country and Government? I wonder if the medical books and the Holy Bible will yet have to be ruled out of the mails.

Rev. CHARLES T. ALEXANDER.

—

[From Herbert George, president Business Men's Association.]

DENVER, COLO., *January 4, 1922.*

MONDELL'S attack on BLANTON fools nobody. The courageous Texan will recover and return to Congress to torment enemies of good government.

MINNEAPOLIS, MINN., *November 8, 1921.*

DEAR MR. BLANTON: You were censured, according to the feudal custom of slaying the bearer of bad news. Yet the real offender, who originated the objectionable language, retains his position in the Government Printing Office, encouraged to again abuse and villify any nonunion employee.

Mrs. ALICE WHITNEY BURTON.

—

[From a distinguished minister, pastor First Congregational Church.]

LEBANON, MO., *October 29, 1921.*

DEAR CONGRESSMAN BLANTON: The country needs you more than it does the whole bunch against you. Do not be discouraged. Your record is a noble one for service. May God bless you. I am not a Democrat. That does not matter. I am an American. I rejoice in your abilities and sterling qualities.

Sincerely, V. H. RURING.

—

LEWISVILLE, ARK., *October 28, 1921.*

DEAR MR. BLANTON: I read in the CONGRESSIONAL RECORD for October 22 every word of your report which caused your reprimand. I can not find anything objectionable in it. Our court records contain much more obscenity. I commend your course and hope you will never cease your bold and honorable fight. I think that you deserve a medal instead of a reprimand.

FRANK BRAME.

—

[From a distinguished minister.]

APPOMATTOX, VA., *October 28, 1921.*

MY DEAR CONGRESSMAN BLANTON: As a reader of the CONGRESIONAL RECORD, I am familiar with its contents.

I deeply regret that the rules of the House are such as not to permit a public record of facts. Such things are awful to repeat, but somehow I have a lingering conviction that under such circumstances a "verbatim" account best serves the ends of justice.

Be assured, dear Congressman, that "truth crushed to the earth will rise again," and long after this is forgotten you will be wafted high on the wings of your noble struggle for justice. Be assured of my sincere prayers, sympathy, and respect.

W. W. PIPPIN, Jr.

—

SYRACUSE, N. Y., *November 25, 1921.*

DEAR MR. BLANTON: The people of this country are solidly behind you, "twenty to one," as against the gang who are trying to put you out of business. You will be in Congress many long years after the MONDELL element shall have been utterly forgotten.

F. H. EBELING.

—

[From Salem (Oreg.) Journal.]

Representative BLANTON has been consistently the champion of the open shop and American plan in Government bureaus, and hence has been a marked man. All the pressure of organized labor has been exerted against him, and the effort at expulsion was due to pressure of labor lobbyists upon Congress to get rid of a man courageous enough to expose their methods.

—

ORVILLE, CALIF.

DEAR MR. BLANTON: You are my ideal. You are not a four-flusher. The people are with you. The politicians in Congress can't hurt you. Next year we will have an election, and then see who is right in the eyes of the world, you or the ones who tried to destroy you.

HARRY GRANT.

—

ST. PETERSBURG, FLA., *February 1, 1922.*

DEAR MR. BLANTON: I have read your expurgated report. It does you credit and condemns the action of Leader MONDELL and the House.

C. A. GRAVES, M. D.

—

SHERIDAN, WYO., *October 28, 1921.*

DEAR MR. BLANTON: Mr. MONDELL is a candidate for the Senate, and in this union ridden State he expects to make political capital out of the incident. Would that we had more men in the House that had the courage of their convictions.

With best wishes for your success.

DR. FRANK CARLL.

REAL USER OF BAD LANGUAGE UNMOLESTED.

The man who used the bad language was Levi Huber, a union foreman in the Government Printing Office, who when using it bragged that he and his union had enough influence in the Capitol to keep him from harm. Why did the majority leader take no action against Huber? I was merely quoting the deleted language Huber had used in abusing another Government employee. Huber was the culprit. Yet he went unscathed.

On October 28, 1921, the gentleman from California [Mr. LINEBERGER] introduced House Resolution 217, which was ordered printed and referred to the Committee on Rules. It provided:

Resolution.

"*Resolved*, That a committee of five Members of the House of Representatives be appointed by the Speaker and authorized and directed to investigate the conditions in the office of the Public Printer, at Washington, D. C., its personnel, efficiency, and conditions affecting employment therein, and to report to the House its findings and recommendations; and said committee shall have power to send for persons, books, and papers, administer oaths, and the right to report at any time."

Neither the majority leader nor the gentleman from Kansas [Mr. CAMPBELL], chairman of the Rules Committee, took any action whatever on said resolution, but are letting it die with this Congress, unacted upon.

On March 13, 1922, the gentleman from Tennessee [Mr. GARRETT] stated that it was in his mind to say something that he had very frequently thought of; that he had never even made an inquiry privately about the matter, but he would like to know, and he wondered if any gentleman could tell him, whether Levi Huber was still in the employment of the Government; that if I deserved censure for inserting an affidavit containing Huber's language, surely the man who used the language ought not to be permitted to remain in the Government service. In reply the gentleman from Wisconsin [Mr. COOPER] first stated that he was informed that Huber had not been in the Government Printing Office for some time; but after telephoning to the Public Printer he later informed the House that Huber had not been discharged, but was still employed by the Government.

HERBERT GEORGE WAS RIGHT.

The attack fooled nobody. And many good people, Republicans and Democrats alike, resented it at the polls. The Republicans in Wyoming repudiated Mr. MONDELL. The Republicans in Kansas repudiated Mr. CAMPBELL. Of the 204 Members who voted to expel me, 78 of them will not be in the next House of Representatives when the Sixty-eighth Congress meets. Most of the remaining 126 are my good personal friends, for whom I have sincere affection and for whom I wish abundant success in all their undertakings.

THE VOTE IN WYOMING.

The population of the entire State of Wyoming is only 194,402, while the population of my district is 314,314. The State of Wyoming therefore has never had more than one Congressman. For 26 years Mr. MONDELL has represented the entire State of Wyoming in Congress. In the recent election he ran for the United States Senate against Mr. KENDRICK, a Democrat. For the position of Representative, now held by Mr. MONDELL, Mr. CHARLES E. WINTER, a Republican, ran against Mr. Robert R. Rose, a Democrat. While the State of Wyoming went for the Republican candidate for Representative it went against Mr. MONDELL for the Senate. Hon William Tyler Page, Clerk of the House, certifies the Wyoming vote as follows:

WYOMING.

For United States Senator.

John B. Kendrick	35,734
Frank W. Mondell	26,627

For Represenative at Large.

Charles E. Winter	30,885
Robert B. Rose	27,017

Thus the gentleman from Wyoming [Mr. MONDELL], despite his prestige of being majority leader and in Congress 26 years, was repudiated by his own party Republicans in his home State. When his treatment of me became an issue in his campaign, he had circulated a vicious statement indicating that I was an irresponsible blackguard without standing. But it did not fool the people. Some of them knew that for years I have been a consistent Shriner in good standing in Hella Temple, a 32-degree Scottish Rite Mason in Consistory No. 2, Dallas, Tex.; a Knight Templar in Abilene Commandery, No. 27; a Royal Arch Mason in Abilene Chapter, No. 159; a Master Mason in Abilene Lodge, No. 559, A. F. and A. M.; a Knight of Pythias in Abilene Lodge, No. 42; a Woodman of the World, in Abilene Camp, No. 136; and a consistent member in good standing in the following bodies of the Independent Order of Odd Fellows: Abilene Lodge, No. 274; Abilene Encampment, No. 117; Abilene Canton, No. 119; and Abilene Rebekah Lodge, No. 89, and a member of the Presbyterian Church. When certain citizens of Wyoming

wrote me asking about my past history I sent them copies of the following from my most treasured indorsements:

[From Dr. C. C. Coleman, then pastor First Baptist Church.]

ABILENE, TEX., *January 16, 1911.*

Judge THOMAS L. BLANTON,
Abilene, Tex.

DEAR SIR AND BROTHER: I wish to say that your course on the bench has given me a world of fresh hope for our institutions. You have demonstrated that a fearless, patriotic judge can do wonders in spite of cumbersome precedents and methods of procedure and a prevailing laxity of public opinion. I have often thanked God that we have you on this bench. I have lived in sections of the State where the judge had a very different spirit from yours, and all who stood for law and order keenly felt the difference. Wishing you increasing influence and usefulness.

Heartily yours, C. C. COLEMAN.

[From the Western Evangel (the Baptist family newspaper), Abilene, Tex., March 13, 1912.]

Mr. BLANTON, although the youngest district judge in Texas at present, has been in active practice of law for 15 years. His public record and private life are very commendable. It is in order to say that Judge BLANTON is a stanch prohibitionist, and is one of the wisest, most earnest, conscientious supporters of the cause. He is always on the right side of every moral question, he being a true Christian gentleman.

[From a Christian magazine of Texas.]

THE HOME AND STATE.

Judge BLANTON, of Abilene, was triumphantly reelected district judge of that district. He has been one of the most faithful officials, administering the laws fairly and justly to all alike, and the people have again rewarded him for faithful service. When men like Judge BLANTON are on the bench the law and order of the community are in safe hands.

[Following indorsement in 1916 was signed by leading citizens of the five counties in the forty-second judicial district.]

"We, the undersigned, heartily indorse Judge THOMAS L. BLANTON for Congress. During his eight years as district judge he has faithfully kept every promise made to the people, has impartially enforced the laws without fear or favor, has kept strict order, has dispatched business and cleared the dockets, has forced all citizens alike to do service as jurors and witnesses, and has economically conducted the courts.

"His honesty, integrity, ability, and unsurpassed energy are such as would make him an ideal Congressman. We know him to be fair and impartial in passing upon all questions. We have had every occasion to observe his manly worth and sterling qualities. Judge BLANTON made a wonderful success in the practice of law, and his conduct on the bench has been of the highest type. In his private life he has advocated that which was pure and right, always fighting openly all kinds of vice, and he has given his time and money in the defense of all moral issues that have come before the people of his State."

The press reported Mr. MONDELL carried only one county in the State of Wyoming. The returns for the following counties, as reported by the press, indicate how it went:

Wyoming general election, November 7, 1922.

County.	For United States Senator.		For Representative at Large.	
	John B. Kendrick.	Frank W. Mondell.	Charles E. Winter.	Robert R. Rose.
Albany	1,253	1,147	1,242	1,017
Big Horn	2,188	1,564	1,869	1,525
Campbell	979	923	889	826
Carbon	1,698	1,403	1,562	1,377
Converse	1,342	1,141	1,327	1,001
Fremont	1,893	1,452	1,839	1,240
Lincoln	1,552	1,066	1,182	1,315
Niobrara	657	536	655	420
Sweetwater	2,618	1,196	1,709	1,805
Uinta	1,301	782	926	998
Weston	981	797	865	780

The vote received by the Socialist candidate is not given.

THE GARNER ATTACK.

The attack made upon me on April 6, 1922, by the gentleman from Texas [Mr. GARNER] was an impulsive mistake. Ordinarily he is an affable, splendid, good fellow. He acted largely through misunderstanding and misinformation. In attacking perquisites I never once had him in mind. Never at any time had I criticized any Member for employing relatives in his office. On account of there being a State law in Texas against allowing officers there to employ relatives, on June 23, 1919, I offered the following amendment:

Amendment offered by Mr. BLANTON: At the end of the resolution, on page 3, after the word "cause," on line 7, as a new paragraph insert the following new section, to wit:

"SEC. 2. That after June 30, 1919, Senators, Representatives, Delegates, and Resident Commissioners in the Congress of the United States shall not appoint to any position, the salary for which is paid by the Government, any person related within the third degree by consanguinity or affinity to the Senator, Representative, Delegate, or Resident Commissioner making such appointment, and all existing appointments violative of the intent and purpose of this provision shall terminate before July 1, 1919."

I failed to pass the above amendment, and I then realized that it would be impossible to pass such a provision, for a majority of the most prominent men in Congress employed their relatives, and I learned that it really accrued to the benefit of the Government. The office business of a Congressman is arduous, hard work if it receives proper attention. It is frequently necessary to finish work after hours, at night, on Sundays, and on holidays. Few outsiders will do the work. It is a problem to get competent help for the pay. To be successfully performed the secretary and clerk must put their hearts in the work and be personally interested in the people they serve. Then, too, the business is frequently of a most confidential nature. Many constituents with sons court-martialed or in serious other trouble write you in strict confidence. Facts concerning important business relations and interests are confided to your care. Valuable checks for ex-service men must sometimes pass through your office. Private checks from constituents concerning their business affairs sometimes must be handled. It is necessary for your help to handle your own money sometimes. One must have absolute confidence in his office help. Your secretary must not only have executive ability but also must have initiative and business tact in handling important transactions with departments.

I have been blessed with faithful and efficient office help. My first secretary, Mrs. Curran S. Benton, who remained with me until she married Major Benton in April, 1919, served my district faithfully. No help in Washington was more loyal, efficient, painstaking, and dependable. Since her marriage I have had a perfect treasure in my brother, who came to me with 10 years' experience in the railroad express business and 9 years' business experience with the big printing establishment of Clarke & Courts, of Galveston, Tex. He has worked after hours, at night, on Sundays, and holidays, and has done more work than I believe any three outside men would have done in my office. In collecting and preparing data for me to fight unmeritorious measures he has saved, in my judgment, several hundred thousand dollars for the people. Without his help it would be a hard problem for me to keep up with the work of my office.

From time to time I have had one of my boys, first one and then another but never more than one at the same time, work in my office, but none of them have ever received more than $3.30 per day. They could have earned twice that amount at any ordinary labor here. I have had them work through necessity, because outsiders would not do the work required for this pay. Since the first of last month I have had one of my boys working for me. And never at any time or place have I ever criticized any Congressman for employing relatives.

But on April 6, 1922, because I then renewed my fight against certain perquisites of Congressmen, the gentleman from Texas [Mr. GARNER] made his unwarranted attack upon me. I had no recourse against him in court, because however unwarranted and unjust his attack was, the law and rules of the House protected him and made his remarks from the floor privileged, which prevented action from being taken against him in court. Newspapers exercised their privilege allowed by law in repeating his attacks upon me, as they, too, were protected by law from libel suits. I had but one way to vindicate myself, and that was through an investigation by Congress. So two days thereafter, on April 8, 1922, I introduced in the House Resolution No. 322, asking for an investigation, which resolution was ordered to be printed and was referred to the Committee on Rules. I will now quote the resolution in full, to wit:

[Sixty-seventh Congress, second session.]

IN THE HOUSE OF REPRESENTATIVES,
April 8, 1922.

Mr. BLANTON submitted the following resolution; which was referred to the Committee on Rules and ordered to be printed.

House Resolution 322.

Whereas on January 4, 1922, Representative BLANTON opposed the Ireland resolution to pay all losses of the restaurants operated by the House of Representatives out of the Treasury,

and on January 12, 1922, from the House floor, said Representative BLANTON again spoke against the perquisites of Congressmen, asserting: That the Members of the Texas delegation, four of whom were bachelors, received a mileage check of $700 three times in each Congress of three sessions; that the barbers in the House barber shop had furnished to them free by the Government their shop without rent, their furniture, fixtures, light, heat, hot and cold water, electricity, linen towels, etc., and besides were paid $70 each per month out of the Treasury; that the chiropodist, William Richardson, and the body rubber, Bruce, in the House bathrooms each were paid $95 per month out of the Treasury, and the assistant body rubber, Tompkins, in said bathrooms, was paid $78 per month out of the Treasury; that each Congressman was furnished with a secretary and a clerk at a cost to the Government of $3,200 per annum, plus bonuses; that each Congressman had a splendid office with the finest furniture and carpets, and the Government also furnished him with two typewriting machines, comb and brush, clothes brush, soap, hot and cold water, electric fans, telephone, and clean towels; that there was credited to each Congressman in the stationery room $125 per session, or $375 for each Congress of three sessions, ostensibly for stationery, but which $375 any Congressman so desiring could draw out in cash or use to buy from the House stationery room any of the articles kept there for sale and sold to Congressman at cost, among which articles were ladies' fancy stationery, carving knives, forks, and steels, leather-bound poker set, playing cards by the dozen, ladies' fine fancy manicure set with all pieces pearl handled, pocket pint whisky flask covered with ostrich-skin leather, ladies' fine ostrich-skin handbags, ladies' toilet set with brush, comb, and big fine mirror, electric chafing dishes worth wholesale $15, all of which articles were exhibited on the floor of the House, the speaker at the time stating:

"Now you know they had so much demand for this little pocket pint whisky flask, covered with ostrich-skin leather, during Christmas time that they sold out," and illustrating the loss that could accrue to the Government on wastage of food, in case the House should unexpectedly adjourn soon after convening, the items of food contained on the Senate menu for January 10, 1922, were given, the said Representative IRELAND when passing his restaurant resolution having asserted that he intended to bring the House restaurants up to the standard of the Senate, and that the main reason for having the Government pay the losses was that no private enterprise could stand the loss occurring through wastage of food when the House adjourned unexpectedly; and

Whereas on April 6, 1922, from the House floor said Representative BLANTON again spoke against the said perquisites of Congressmen, repeating all of his former assertions, and showing that the rugs and carpets for one committee suite, the Interstate and Foreign Commerce Committee, cost the Government $1,124.80, the carpet for the House floor cost $10,078, and that the rugs for ordinary offices last cost the Government $191.75 each wholesale, and asserting that the mileage paid to the Members of the Texas delegation averaged $730.48 each per session, or the sum of $2,191.44 average per Texas Member per Congress, then giving the amount exactly each Member received, respectively, and again asserting that Members were allowed to draw all or any part of their $375 stationery allowance per Congress out in cash, or to spend the same for anything they desired; and

Whereas immediately following said speech Representative GARNER asserted that Representative BLANTON was not an individual, but a creature, and was a common, base liar, and would do anything in order to accumulate wealth, that he would charge Members with nepotism and at the same time have two children on the pay roll of the Government, and that the Texas delegation deems him a liability and injury to their party; and

Whereas the following occurred during such debate:

"Mr. BARKLEY. The gentleman has referred to whisky flasks, and the gentleman from Texas [Mr. GARNER] has referred to that subject. In order that the record may be clear, I desire to state that on the 5th day of January of this year the gentleman from Texas [Mr. BLANTON] went to the stationery room and asked for a whisky flask. They did not have it.

"Mr. MONDELL. Certainly not.

"Mr. BARKLEY. And they advised him that they did not keep them for sale. He then requested the stationery room to order him one. The stationery room ordered him one from Charles M. Griskey Sons, Philadelphia, Pa. The order is No. 1815 on the records of the stationery room. The flask was ordered under No. 573-3-3 Ost. It was a pint flask, covered with ostrich hide, for which Mr. BLANTON paid in cash at the time he got it, the price being $6. [Laughter and applause.]

"Mr. MONDELL. I assume that that was all done for the purpose of being able to make the statement that whisky flasks could be obtained in the stationery room"; and

Whereas in truth and in fact the said House stationery room did have on sale there during the last Christmas holidays just such pocket pint whisky flasks covered with ostrich-hide leather as was exhibited on the floor of the House, and certain employees in said stationery room if placed on oath will testify that same were sold in said House stationery room during the holidays, and that when Representative BLANTON ordered the exhibited one on January 5, 1922, he ordered an exact duplicate of the ones which had been sold there during said holidays, and other credible witnesses who saw them, if called upon and put under oath will testify that they saw such flasks on sale in said House stationery room during said holidays; and

Whereas as a matter of fact said Representative BLANTON is not doing anything to accumulate wealth, but for five years has been in Congress, preceding which for eight years he was judge of the forty-second judicial district of Texas, and prior to entering such public service he owned real and personal property worth over $25,000, but to-day if he sold everything he possesses he could not raise over $3,000, he having devoted most of his possessions to public service; and

Whereas the public press asserts that during the speech of said Representative GARNER, Representative SUMNERS also said that Representative BLANTON had lied in his speech on the perquisites of Congressmen; and

Whereas in truth and in fact the annual report of the House Clerk for 1920 shows, on page 226, that Representative BLANTON on December 4, 1919, drew his entire stationery allowance of $125 in cash; on page 258, that both Representative SUMNERS and Representative GARNER each drew their entire stationery allowance of $125 in cash; on page 297, that Representative SUMNERS again drew out his entire stationery allowance of $125 in cash; and said Clerk's annual report for 1921 shows, on page 247, that Representative GARNER again drew out his entire stationery allowance in cash; on page 298, that Representative GARNER again drew out his entire stationery allowance of $125 in cash; and on page 328, that Representative SUMNERS again drew out his entire stationery allowance in cash; and on page 346, shows that Representative MONDELL drew $9.45 in stationery and the balance of $115.55 in cash; and said reports show many other Congressmen drawing entire stationery allowances out in cash; and

Whereas the books of the Sergeant at Arms show that the amount of the mileage check issued to the Texas Members for each one of the three sessions of Congress are: Hatton W. Sumners, $707.20; Marvin Jones, $736; Clay Briggs, $702.80; Sam Rayburn, $673.20; Harry Wurzbach, $783.60; John N. Garner, $851.20; Eugene Black, $514; Daniel E. Garrett, $602.40; C. B. Hudspeth, $934; J. J. Mansfield, $840; John C. Box, $646.40; Tom Connally, $740.80; Rufus Hardy, $729.20; Thomas L. Blanton, $717.20; Morgan G. Sanders, $700; James P. Buchanan, $840; Lucian Parrish, $733.48; Fritz Lanham, $697.20; total, $13,148.68; which averages per Member $730.48 per session, or $2,191.44 per each Congress of three sessions, and shows that Leader Mondell receives $766 per session, or $2,298 per Congress, and that Representative Raker receives $1,453.20 per session, or $4,359.60 mileage per Congress; and

Whereas neither in Congress or out has said Representative BLANTON ever charged Congressmen with nepotism, there being no such offense under Federal law affecting Congressmen; and

Whereas said Representative BLANTON now has no son on the Government pay roll, although his brother, 44 years old, is his secretary, though he has had sons on the pay roll, as other Congressmen have, though from July, 1919, to September, 1920, his oldest son was employed as a clerk in his office at $98.34 per month, during which time no other son was on the Government pay roll; and from October, 1920, to September, 1921, he had one son working in his office at $98.34 per month, during which time he had no other son on the Government pay roll, and during October and November, 1921, he had one son, and only one, working for $98.30 per month, and the following will show his office force now:

"WASHINGTON, D. C., *April 8, 1922.*

"I certify that since May 1, 1919, continuously, I have been secretary to my brother, Congressman BLANTON, at a salary of $208.34 per month; that I succeeded Mrs. Curran S. Benton, who up to that time had been his secretary from the beginning of his congressional career; I am 44 years old, have a family,

and prior to coming here was receiving $200 per month from Clarke & Courts of Galveston, as assistant to the manager.

"W. W. BLANTON.

"I certify that since December 1, 1921, I have been employed as clerk in Congressman BLANTON's office at a salary of $98.34 per month, and prior to December Mr. BLANTON employed me for some time and paid my salary out of his own pocket. I am not related to him.

"ELIZABETH JOHNSON."

"I certify that for the past six months I have been employed in Congressman BLANTON's office, and that he has paid my salary out of his own pocket. I am not related to him.

"Mrs. A. M. CLEMENTS."

Whereas when said Representative GARNER charged that Representative BLANTON has two sons on the Government pay roll, he then knew that he has his wife, Mrs. E. R. Garner, employed in his office, receiving from the Government each month $266.66, which is the entire $3,200 allotted Members for both secretary and clerk, and that the annual report of the Clerk of the House for 1920, on pages 98, 109, 120, 131, 142, 153, 164, 175, 185, 196, 207, and 218, it is shown that said Clerk paid to the said Mrs. E. R. Garner 12 checks for $266.66 each, and in the annual report of said Clerk of the House for 1921, on pages 97, 107, 118, 129, 140, 150, 162, 172, 186, 198, 209, and 220, it is shown that said Clerk paid to Mrs. E. R. Garner 12 checks for $266.66 each, covering said entire $3,200, which facts said Representative GARNER did not disclose when attacking his colleague with vicious abuse; and

Whereas, in speaking against the perquisites of Congressmen, the said BLANTON did not accuse any Members of dishonesty, but was merely fighting matters which for years have been generally denominated petty graft, and was hoping thereby to stop such practices which tend to bring Congressmen into disrepute, and such facts as he disclosed could not be destroyed through personal attack and abuse; and

Whereas on page 281 of the Clerk's report for 1921 is shown the purchase of numerous carving sets, ranging in price from $5 to $10 each, wholesale; and on page 285 shows purchase of one toilet set, $33; one toilet set, $40; one manicure set, $28; one manicure set, $25; and one manicure set, $20; and on pages 286 and 287 shows purchase of 22 carving sets, ranging in price from $20 down, and numerous razors, 192 knives, 20 toilet sets, ranging in price from $25 down; 47 manicure sets, ranging in price from $23 down, and numerous sewing sets; on page 295 shows purchase of 144 knives; on pages 334 and 335 shows purchase of numerous ladies' bags, ranging in price from $31.25 down, and toilet sets as high as $52.50 each; pages 338, 339, and 340 shows an order from one party amounting to $1,907.84, covering pocketknives, vacuum bottles, jugs at $9.50 each, razors, razor strops, carving sets as high as $20 each, toilet sets as high as $33 each, and manicure sets as high as $45 each, all for sale in the stationery room, and any of which Members could buy and have charged against their stationery account; and said reports containing page after page of things not used in a congressional office too numerous to mention; and

Whereas it is highly important to Congressmen and to the general public that if the excess mileage which many Members render as unused in their income-tax reports each year, and the manner of running said stationery room is calculated to bring Congressmen into disrepute, inasmuch as Congressmen are required to render in their income-tax reports the unused portion of their stationery allowance each year, steps should be taken by Congress to stop same; and

Whereas if keeping barbers in the House barber shop on the Government pay roll at $70 per month, and body rubbers in the House bathrooms at $95 per month, and paying the losses of the House restaurants out of the Treasury is calculated or may tend to bring Members of Congress into disrepute, steps should be taken by Congress to stop same, and the existence of such facts and the efforts made by a Congressman to stop same is no occasion or warrant for personal attack or abuse: Therefore be it

Resolved, That a select committee of 11 Members of the House be appointed by the Speaker of the House to investigate, hold hearings, and procure all of the facts relative to said herein alleged abuses, and ascertain whether the same or any of them should be stopped.

That said committee may select its own chairman, may administer oaths, may summon and compel the attendance of witnesses, and hear all evidence thereon.

That said committee shall report its findings to the House at the earliest date possible, together with such recommendations as to any change in the manner of handling the matters herein mentioned as it may deem pertinent and advisable.

DID NOT WANT COMMITTEE TO INVESTIGATE.

That Resolution No. 322 went to the Committee on Rules on April 8, 1921. Every alleged fact therein was easily provable or disprovable by the records in the stationery room and the offices of the Clerk and Sergeant at Arms of the House of Representatives. Such resolution contained every charge I had made in my speeches against perquisites. If such charges were false, as asserted by Mr. GARNER, I deserved to be kicked out of office. The gentleman from Texas [Mr. GARNER] has served 20 years in Congress, is at the head of the most powerful committee of the House, has in charge the dispensing of assignments of Members to committees, had many times served as acting minority floor leader. He and the gentleman from Wyoming [Mr. MONDELL] and the gentleman from Kansas [Mr. CAMPBELL], who were in absolute control of affairs, owed it to the House of Representatives and to the country to disprove such charges if they could. They had the power to amend this resolution in any manner they desired, and to take such action upon it as they desired, and to have the Speaker appoint on the special committee of investigation just such Members as they desired, and not a day has passed since said Resolution No. 322 was referred to the Committee on Rules on April 8, 1921, to this 4th day of March, 1923, but what the gentleman from Kansas [Mr. CAMPBELL] had the privileged right under the rules of the House at any time to have reported such resolution and had the House appoint the committee of investigation. But no action whatever was taken. Such resolution is to die with this Congress. But the facts will not die.

CLERK'S LATE PRINTED REPORT CONCLUSIVE EVIDENCE.

There has recently been printed the Annual Report of the Clerk of the House of Representatives for the fiscal year ending June 30, 1922. Its printed pages conclusively vindicate me. On January 12, 1922, I made my speech in the House against perquisites and exhibited some of the numerous articles purchasable by us in the stationery room. I quote now from the RECORD what I then said concerning the poker set and flask:

[From the RECORD, January 12, 1922.]

Now, this came from the stationery room. This is a leather-bound poker set with four decks of cards and full of red and white and blue poker chips. It is a leather-covered box and would cost about $25 in the stores in Washington. It is kept there for us Congressmen to buy with Government money. And they furnish you with a dozen extra decks of cards to go with it. [Exhibiting them.]

What else do they furnish? Things of this kind [exhibiting]: Notice the color of the lining, fancy lavender, lady's manicure set; all these pieces, every one of them with pearl handles, that in the stores of Washington would sell for about $40.

Now, you know they had so much demand for this little article [exhibiting], a pocket pint whisky flask covered with ostrich-skin leather, during Christmas time that they sold out.

If I was not telling the truth, why did not Mr. GARNER and Mr. MONDELL attack me on that day—January 12, 1922? Or why did not they attack me on some later day in January or during the month of February or during the month of March, 1922? Why did they wait until after my second speech against perquisites on April 6, 1922?

And I made my position very plain on April 6, 1922, when I then said:

[From the RECORD of April 6, 1922.]

I did not say that the Government supplies each Congressman with a whisky flask, a poker set, pocketknives, etc. What I said was that in the Sixty-fifth Congress each Member had credited to his account in the stationery room $375, and in the Sixty-sixth Congress each Member had credited to him $375, and in the present Congress each Member has had credited to him already, since April 1 last year, $250, and will have another $125 credited to him there on December 1, ostensibly to buy stationery, and that we are permitted to draw this out in cash if we want to, or we are permitted to buy anything kept in the House stationery room and have it charged against our stationery accounts. I said that these employees in the House stationery room are paid out of the Treasury to wait on us. I said that there is kept there for sale, and I exhibited on this floor the articles I procured for the purpose from said stationery room—whisky flasks covered with ostrich-skin leather; ladies' fine bags covered with ostrich-skin leather, worth, wholesale, $22.40; fine leather-covered poker sets, playing cards by the dozen; ladies' fine manicure sets, all pearl covered.

The whisky flasks only seemed to grate on the nerves of the House leaders, for no one made any attempt to deny that the many other articles I had exhibited were kept for sale in the stationery room. They could not wipe the facts out of existence, so they made an attempt to wipe me out. The gentleman from Texas [Mr. GARNER] asserted that I had lied, but he failed to prove wherein any statement made by me was false. Then two other leaders left the impression that no such whisky flask was ever sold in the stationery room, until on January 5, 1922, I ordered one for the express purpose of making such charge. Let me quote what they said:

[From the RECORD of April 6, 1922.]

Mr. BARKLEY. The gentleman has referred to whisky flasks; and the gentleman from Texas [Mr. GARNER] has referred to that subject. In order that the record may be clear, I desire to state that on the 5th day of January of this year the gentleman from Texas [Mr. BLANTON] went to the stationery room and asked for a whisky flask. They did not have it.

Mr. MONDELL. Certainly not.

Mr. BARKLEY. And they advised him that they did not keep them for sale. He then requested the stationery room to order him one. The stationery room ordered him one from Charles M. Griskey Sons, of Philadelphia, Pa. The order is No. 1815, on the records of the stationery room. The flask was ordered under No. 573-3-3 Ost. It was a pint flask, covered with ostrich hide, for which Mr. BLANTON paid in cash at the time he got it, the price being $6. [Laughter and applause.]

Mr. MONDELL. I assume that that was all done for the purpose of being able to make the statement that whisky flasks could be obtained in the stationery room.

Now, you will note their assertion that I ordered the flask on January 5, 1922. The annual report of the clerk, on page 252, shows that on November 9, 1921, payment was made for an ostrich-hide flask identical with the one purchased by me in January. I have the sales slip issued me by the House stationery room for the flask I purchased, which is dated January 11, 1922. So this is proof conclusive that such ostrich-hide flasks were sold in the stationery room in November, 1921, before I purchased mine in January, 1922. On this same page, 252, of the Clerk's annual report is shown payment on November 9, 1921, of $492 for pocketknives; one ostrich-hide ladies' toilet set, $27; one ostrich-hide ladies' toilet set, $36; one ostrich-hide ladies' bag, $35; one ostrich-hide ladies' jewel case, $24; one ostrich-hide traveling case, $50; ostrich-hide letter cases, $22; two ostrich-hide cigar cases, $24; and two ostrich-hide cigarette cases, $14. The exhibits used in my speech were all procured in January, 1922.

I have the sales slips issued to me by the House stationery room for all the articles I purchased, showing date of purchase. Let me now show the large variety of merchandise sold through the stationery room, as printed in the latest annual report of the Clerk, to wit: On page 240 is one trunk, at $22.50; and one trunk, at $36. On page 245 is one trunk, at $60.75; and one trunk and bag, at $77. On page 294 are a number of trunks, bags, and suit cases. On page 264 is 18 dozen golf balls, $134.20; one game set, $16; two electric irons, $13; two toasters, $16; one toaster, $6.75; one waffle iron, $16; one chafing dish, $20; one grill, $15; one urn, $19.50; one percolater, $17.50; one curling iron, $6.25. On page 243 is 100 poker chips. On page 335 is 300 poker chips and playing cards. On page 317 is 18 dozen Bicycle playing cards, $81; and 12 dozen Congress playing cards, $72. On page 278 is 12 dozen Bicycle playing cards, $50.88; with playing cards also on pages 275, 276, and other pages of report. On pages 252, 253, 254, 272, 324, and 328 are 75 sets of carving sets, $419.30. On page 277 is 30 purses, $127.25. On four pages are 354 pocketknives, $591.50. On pages 341, 342 are 40 cigarette cases, $226.40. On page 290 is a tourist case, $22. On page 326 is a kodak and case, $27. On page 242 is wedding invitations, $46.75; at-home cards, $18.70. On page 300 are party and dinner invitations. On page 322 is engraved plate for wedding announcements, $17.50; wedding announcements, $8.50. On page 324 is one auto trunk, $26.50; one cord casing, one inner tube. On pages 312, 315, and 324 are numerous orders for golf bags, brassies, mashies, drivers, jiggers, niblicks, and other golf accessories. On page 408 are one dozen Bromo Seltzer, $3.60; 1,200 aspirin tablets, $14.28; three dozen Seidlitz powders, $1.50; six Bromo Seltzer, $1.80; six bottles soda mint tablets, 90 cents; two bottles 5-grain lithia tablets, $1; and six 1-ounce aromatic spirits of ammonia, $1.50. On page 483 are four dozen Seidlitz powders, $2; 1,300 aspirin tablets, $15.47; aspirin tablets, $1.75; one hundred 3-grain capsules quinine, $2; 1-ounce essence peppermint, 35 cents; twelve 1-ounce tincture iodine, $2.40; six boxes laxative bromo quinine, $1.80; six one-half pints spirits turpentine, $1.20; 1,200 aspirin tablets, $14.28; six 1-ounce essence peppermint, $2.10; six bottles Bromo Seltzer, $1.50; 400 aspirin tablets, $4.76; twelve 1-ounce castor oil, $1.20; four 2-ounce cotton, 60 cents; six bottles Sal Hepatica, $1.80; 12 bottles Bromo Seltzer, $3.

On a number of pages are expensive ladies' bags, ladies' toilet sets, ladies' manicure sets, ladies' sewing sets, and other ladies' articles having no connection with office supplies. On page 272 are one electric curling iron, $4.69; one electric pad, $10.75; one coffee urn, $18.08; one electric grill, $15; and one electric iron, $6.50. On page 312 are one electric waffle iron, $16.50; one electric iron, $6.75. Without taking up further space, the above prove conclusively that numerous articles of merchandise other than needed office supplies are sold in the stationery room of the House.

PRACTICE AT LAST STOPPED.

On January 20, 1923, the following occurred:

"Mr. WINGO. Mr. Chairman, I offer the following amendment, to go in between lines 22 and 23, on page 22.

"The Clerk read as follows:

"'Page 22, after line 22, insert a new paragraph, to read as follows:

"'"No part of the sums herein appropriated shall be used for the purpose of purchasing by or through the stationery rooms other articles than stationery and office supplies essential and necessary for the conduct of public business, nor shall such funds be expended for the maintenance, storage, or care of private vehicles.'"

"Mr. WINGO. Mr. Chairman, the language is very clear. It provides that they can not use the public funds for the purchase or procuring through the stationery room of articles other than stationery and office supplies. In every campaign you have to go through the nauseating experience of having a detailed statement of the ridiculous things that are procured through the stationery rooms of the respective Houses. It is not necessary for Members, and I think we ought to stop the practice. Another thing, we are being criticized for maintaining garages for private use. If that is being done, it ought to be stopped. That is all the amendment does.

"The CHAIRMAN. The question is on agreeing to the amendment.

"The question was taken; and on a division (demanded by Mr. PARKS of Arkansas) there were—ayes 42, noes 60.

"So the amendment was rejected.

"Mr. BLANTON. Mr. Chairman, this is an important matter, and I think we ought to have tellers. I ask for tellers.

"The CHAIRMAN. The gentleman from Texas demands tellers. Those in favor of taking the vote by tellers will rise and stand until counted. [After counting.] Ten Members have risen, not a sufficient number, and the Clerk will read."

And then the bill went over until Monday, January 22, 1923, where, as soon as the House met, it then being possible to force a record vote on the proposition, it was again proposed in the following motion to recommit:

The Clerk read as follows:

"Mr. WINGO moves to recommit the bill to the Committee on Appropriations, with instructions to report the same back forthwith, with the following amendment: At the end of the bill add a new paragraph, to read as follows: 'No part of the funds herein appropriated shall be used for the purpose of purchasing by or through the stationery room articles other than stationery and office supplies essential to and necessary for the conduct of public business, nor shall any part of such funds be expended for the maintenance, storage, or care of private vehicles.'"

The SPEAKER. The question is on agreeing to the motion to recommit.

The question was taken, and the Speaker announced that the "noes" seemed to have it.

Mr. WINGO. I ask for a division, Mr. Speaker.

The SPEAKER. The gentleman from Arkansas asks for a division.

The House divided; and there were—ayes 33, noes 3.

So the motion to recommit was agreed to.

And the House then passed the bill embracing that amendment, which after July 1, 1923, prevents anything being sold in the House stationery room other than essential and necessary office supplies. Thus the House vindicated me in stopping this practice, my fights against which had caused me such severe criticism. Thus good came out of it after all.

EXCESS MILEAGE.

The records of the Sergeant at Arms' office show that during this Sixty-seventh Congress each Member has drawn three mileage checks in the amounts set forth in my said resolution No. 322, and just as I had charged in my speeches; likewise in the Sixty-sixth and Sixty-fifth Congresses.

STATIONERY ALLOWANCE.

The records of the Clerk's office show that during this Sixty-seventh Congress each Member has been granted three stationery allowance checks of $125 each, aggregating $375 to each Member for stationery for this Sixty-seventh Congress. Likewise that each Member drew $375 in the Sixty-sixth Congress and $375 each in the Sixty-fifth Congress for stationery, just as I had stated. And just as they had done formerly, this latest report of the Clerk of the House on page 260 shows that Mr. GARNER drew all of his allowance in cash, and on page 261 that Mr. SUMNERS drew all of his allowance in cash. And since Mr. GARNER saw fit to assert that my sons had worked for me, without disclosing his own office affairs, it is only just to state that this latest report from the Clerk of the House on pages 98, 109, 120, 131, 142, 153, 164, 175, 186, 196, 207, and 218 shows that for the fiscal year ending June 30, 1922, his wife, Mrs. E. R. Garner, was paid the entire $3,200 allowed him for both a secretary and clerk, just as she had drawn the entire $3,200 for the two preceding fiscal years.

RESTAURANT COSTS PEOPLE $36,000 ANNUALLY.

During the proceedings on January 20, 1923, I called attention to the fact that on page 14 of the hearings Chairman ANDERSON had developed the information from the Clerk of the House that the actual loss above receipts that the people are paying on our House restaurant amounts to $36,000 annually. I then read from such hearings the Government salaries paid to restaurant employees, to wit:

The main chef gets $200 a month; the baker gets $120 per month; the second cook gets $110 per month; the fry cook, $80; the assistant fry cook, $60; the butcher, $80; ice-plant man, $90; helper, $40; another helper, $40; oysterman, $50; pot washer, $50; helper, $40; dishwasher, $40; another dishwasher, $40; fireman, $60; coffee boy, $60; steam-table man, $80; sandwich man, $60; helper, $40; manager storeroom, $100; checker, $90; telautograph, $40; assistant manager, $150; manager, $150; second cook, $125; checker, $90; three waiters, one at $20 and two at $40 each; buss man, $35; silver man, $40; waiter, $40; half-time buss man, $24; waiter, $20; another buss man, $35; 17 waiters at amounts varying from $20 to $40; head waiter, $100; another waiter, $20; cashier, $80; 5 waitresses at from $20 to $50; checker, $75; another buss boy, $40; another waitress, $40; another silver man, $40; another waiter, $60; second cook, $60; dishwasher, $40; another chef, $100; runner, $40; another coffee boy, $40; head waiter, $75; head waiter, $40; with the names of each of these employees in this restaurant given in the hearing.

Then the gentleman from Illinois [Mr. IRELAND], who had charge of the management of the restaurant, after admitting that the figures given by me were correct, proceeded to explain some of the losses, as follows:

"Mr. IRELAND. * * * Out of the profits we might have made in the House management of the restaurant we have been compelled to make a great many purchases of materials, linen, china, glassware, and silverware that have been carried away by souvenir hunters or been borrowed in the House Office Building by clerks of Members and through carelessness not returned. A few items may interest the House. It has been necessary to purchase 150 dozen napkins. They cost $7 a dozen at least. They have disappeared, and it is impossible, without hiring a force of detectives that would cost more than the restaurant, to stop it. Ten dozen table cloths, at least $50 a month for dishes, not entirely due to breakage, although some were destroyed in handling. Three hundred dollars goes for broken glassware. The repairs we have kept up out of the profits have been over $300 a year on items like repairing the oven, and so forth. The rent of the telautograph, which we can not get along without and give any sort of service to Members, requires the expenditure of approximately $300 a year. The laundry runs from $300 a month up.

"Mr. GARNER. Will the gentleman yield?

"Mr. IRELAND. Yes.

"Mr. GARNER. I did not quite catch the number of napkins the gentleman said it was necessary to replace.

"Mr. IRELAND. One hundred and fifty dozen.

"Mr. GARNER. Was that number of napkins worn out during the period of one year?

"Mr. IRELAND. I do not think many of them were worn out.

"Mr. GARNER. Who stole 150 dozen napkins?

"Mr. IRELAND. Now, the gentleman is giving me too big a job. All we know is they disappeared or were worn out.

"Mr. GARNER. It seems to me the management ought to have a better checking system than to let 150 dozen napkins get away in one year.

"Mr. IRELAND. Does not the gentleman understand that the manager is in a menial capacity serving the House of Representatives, and it is impossible to question the employees of the Members of the House without creating a sensation or a situation that would be worse than losing the entire property?

"Mr. GARNER. Does the gentleman mean to say that in case my clerk should take a dozen napkins and fail to return them that he would have sufficient timidity not to ask him to bring them back?

"Mr. IRELAND. I do not imagine the gentleman's clerk would do that.

"Mr. GARNER. Well, somebody's clerks have taken 150 dozen napkins."

For new equipment for this House restaurant, page 493 of the Clerk's latest report shows one bill for $536.78, another for $1,747.44, and on page 494 another bill for $14,789.22. My objecting to this restaurant loss may seem a small matter, unworthy of notice to some of my colleagues, but to the people back home, who have to pay these bills, it may be of importance.

IT IS THE PEOPLE'S APPROVAL WE SEEK.

All of us crave the affection and approval of our colleagues. Despite past friction, I have affection for them all and will go the limit to assist and favor them where it does not cost the public anything, but it is the approval of our people that is of first importance. When we lose the approval of our constituents our service ends. Of course, when we do not do to suit our colleagues and make them angry, they have the power to arbitrarily kick us out, but even then they must go back to the people for approval; and if we have done right, we may depend upon the people to approve our action, and we have left at least the approval of our own conscience.

OWE MUCH TO THE PEOPLE.

I owe much to my constituents. In 1908 they elected me judge of the forty-second judicial district, embracing the counties of Taylor, Callahan, Eastland, Stephens, and Shackelford, defeating three splendid men, Judge J. H. Calhoun, Judge D. G. Hill, and Judge J. H. Hammond. In 1912 Hon. Dallas Scarborough, of Abilene, entered the race. After we had a joint debate at Ranger, he withdrew, and I again defeated Judge D. G. Hill. In 1916 Judge J. M. Wagstaff and myself announced for Congress in the old sixteenth (Jumbo) district, which embraced 59 counties, running 556 miles from Mineral Wells to El Paso. We both lived in Abilene. Judge Wagstaff was then a member of the legislature from Taylor County, where he had lived 35 years. We let a preferential primary in our home county decide. We had 21 joint debates, one in every precinct, and he was defeated February 5, 1916. In the Democratic primary July, 1916, I defeated Congressman W. R. Smith, of El Paso (later appointed Federal judge), and Hon. R. N. Grisham. I left the circuit bench to come to Congress. After being placed in the new seventeenth district, I was again elected in 1918, the vote in the Democratic primary July 27, 1918, being: THOMAS L. BLANTON, 32,034; Oscar Callaway, 3,355; William G. Blackmon, 3,641; and Joe Adkins, 9,816. In the Democratic primary of July 24, 1920, heading union labor's black list and weathering the bitterest campaign imaginable, I again defeated Hon. R. N. Grisham by a majority of 11,176 votes and was reelected in November, defeating Hon. W. D. Cowan, of San Saba, by a majority of 18,804 votes, leading the State Democratic ticket in my district by 1,518 votes.

PEOPLE'S CONTINUED SUPPORT MOST VALUABLE INDORSEMENT.

These attacks upon me in Congress naturally incited increased opposition in the 1922 campaign. There was an organized concerted move to break me down, if possible. Hon. W. J. Cunningham, of Abilene, who has resided in Taylor County many years longer than I have, and the then prosecuting attorney of my old judicial district, entered the race. It was hoped that he could take Taylor County from me. There were five other formidable candidates—Hon. Ernest G. Allbright, of Brown County, who was secretary of the Brownwood Chamber of Commerce; Prof. N. S. Holland, of Jones County, principal of the Stamford schools; Judge Joseph B. Dibrell, a prominent attorney of Coleman County; and former Congressman Oscar Callaway, of Comanche County. Under the Texas laws where no candidate receives a majority of all votes in the first primary, then all candidates except the two highest are dropped, and they run in a second primary. The intention was to combine all forces against me in a second primary.

I made 54 speeches over the district without mentioning any opponent. Then culminated their mud slinging. After making 40 speeches Mr. Allbright withdrew. Professor Holland failed to pay his assessments and withdrew. Mr. Callaway filled his newspaper, the Comanche Chief, with vicious attacks upon me. He reproduced all the attacks made upon me in Congress in circulars and flooded the district with them. He and others for him spoke in practically every precinct. Judge Wagstaff and Mayor Dallas Scarborough organized against me in Taylor County and had 50,000 big circulars embracing all kinds of ridiculous charges, as well as all the attacks made upon me in Congress, and circulated them in all counties. Under their guidance Attorneys Robert Wagstaff and W. E. Martin practically lived in an auto, speaking through all the counties against me. Organized labor exhausted every means possible to defeat me. But my friends remained true and loyal and I carried 18 out of the 19 counties.

"I hereby certify the following as the official returns:

Democratic primary July 22, 1922—Certified official returns, congressional race.

County.	Thomas L. Blanton.	Oscar Callaway.	W. J. Cunningham.	Joseph B. Dibrell, jr.
Taylor	2,266	233	1,804	88
Shackleford	743	56	290	4
Coleman	1,508	595	313	1,437
Brown	1,313	1,068	278	718
Mills	838	434	142	291
San Saba	1,617	456	176	170
Lampasas	1,114	368	335	79
Burnet	1,430	305	151	208
Llano	682	260	182	195
Concho	727	195	46	126
McCulloch	922	371	389	330
Runnels	1,467	409	242	291

Democratic primary July 22, 1922—Certified official returns, congressional race—Continued.

County.	Thomas L. Blanton.	Oscar Callaway.	W. J. Cunningham.	Joseph B. Dibrell, jr.
Palo Pinto	1,219	1,095	523	292
Jones	2,079	458	812	170
Nolan	1,173	366	639	198
Comanche	1,285	1,638	365	266
Eastland	2,295	1,456	1,317	123
Callahan	1,329	265	665	98
Stephens	915	419	713	67
Total	24,895	10,447	9,382	5,151

"THOMAS L. BLANTON received 14,448 more votes than Oscar Callaway, but lacks 85 votes of having a majority over his three opponents. N. S. Holland's scattering vote not counted, as he withdrew and did not pay assessments. Certified this August 4, 1922.

"FRED COCKRELL,
"*Democratic Chairman,*
"*Seventeenth Congressional District of Texas.*"

Notwithstanding that it was also Judge Cunningham's home county, you will note that I carried Taylor County by a substantial majority over all opponents. Also note that I carried his home county of Coleman against Judge Joe B. Dibrell. Also note that I carried Jones County, where lives Professor Holland, by a majority of 639 votes over all opponents. Also that in Shackleford County, where Professor Holland and myself formerly lived and where we both married, I carried it by a majority of 393 votes over all opponents.

On July 28, 1922, Oscar Callaway sent a circular letter to citizens in every school community in every county stating that he would force me into the run-off primary, in which letter he said:

I think with the combined opposition backing Mr. Cunningham, Mr. Dibrell, Mr. Holland, and myself we can almost completely break down BLANTON'S support. I have been assured by Mr. Dibrell and Mr. Cunningham and their supporters that they will vigorously oppose Mr. BLANTON in the run-off and support me, and we are going to make one of the most determined fights in this congressional district. * * * Please at once get together all the opposition to BLANTON in a meeting, not only in your immediate vicinity but have the opposition hold meetings in each school community and organize a determined fight. * * * We are going to win this fight. We have got to win it. * * *

Sincerely your friend,

OSCAR CALLAWAY.

Then Mr. Callaway and his numerous speakers for him covered the district by speaking in practically every precinct. He had former Congressman James L. Slayden campaign the district for him. As I had spent the limit allowed by law in the first primary, I made no campaign in the second. I placed my whole confidence and trust in the people, and the following official returns of the second primary will show how the people stood by me:

Seventeenth district of Texas—Certified official returns of the vote for Congressman in the second Democratic primary election held August 26, 1922.

DISTRICT VOTE BY COUNTIES.

County.	Thomas L. Blanton.	Oscar Callaway.
Taylor	3,070	1,220
Jones	2,498	1,028
Mills	1,323	810
Callahan	1,495	850
Shackleford	684	205
Runnels	1,979	776
Stephens	1,293	1,115
Brown	1,881	1,570
Palo Pinto	1,594	1,138
Eastland	2,897	2,129
Burnet	1,100	569
Concho	708	247
Llano	990	353
Nolan	1,386	1,052
San Saba	1,738	725
McCulloch	1,210	706
Coleman	2,542	1,710
Lampasas	1,342	600
Comanche	1,751	2,068
Total	31,481	18,861

The above tabulation was certified as correct by the Democratic executive committee to the Democratic district convention at Abilene, Tex., September 2, 1922.

Again I carried 18 out of the 19 counties. And the following vote of Taylor County by voting precincts shows how my loyal home people stood behind me, despite the active, prominent, local opposition in Abilene:

Second Democratic primary election held August 26, 1922.

TAYLOR COUNTY VOTE BY PRECINCTS.

Precinct.	Thomas L. Blanton.	Oscar Callaway.
Courthouse	209	143
Buffalo Gap	73	36
Jim Ned	29	7
Moro	40	17
Nubia	62	12
Merkel	445	154
Guion	41	25
Shep	91	11
Potosi	53	44
Fire Station	225	78
Trent	69	40
Caps-Merkel	30	5
View	42	11
Caps-Abilene	55	7
Tuscola	116	45
Ovalo	141	37
Bradshaw	68	19
Iberis	39	12
Tye-Abilene	37	27
Tye-Merkel	45	6
Lawn	87	52
Hamby	28	2
Elmdale	29	6
W. O. W	453	186
Chapter H	505	226
Blair	58	12
Total	3,070	1,220

And when the Democratic convention met they passed the following:

"At the Democratic district convention for the seventeenth congressional district of Texas, which met in Abilene, Tex., September 2, 1922, the following resolution was unanimously adopted:

RESOLUTION.

"Whereas Congressman THOMAS L. BLANTON defeated four opponents in the recent July primary by a plurality of 14,448 votes, and also defeated Oscar Callaway in the late run-off election by a majority of 12,620 votes, each time carrying 18 out of the 19 counties in his district; and

"Whereas among the people who know him best, and where he practiced law and served eight years on the district bench, his old home county of Shackleford gave BLANTON 684 votes and Callaway only 205 votes, and his home county of Taylor gave BLANTON a majority of 1,850 votes, he carrying every voting precinct of both counties and the Rock Hill box by a unanimous vote; while Congressman JOHN N. GARNER, who made an unjust attack upon him in Congress, lost his home county of Uvalde by the vote of 760 for GARNER and 1,123 for his opponent Briscoe, said GARNER losing 12 out of the 14 voting precincts in his home county of Uvalde; and

"Whereas the Democrats of his district have again indorsed Congressman BLANTON and his work in Congress, and have thus fully vindicated him not only upon the unjust attempt of Leader MONDELL to expel but also upon the unjust attempts made in and out of Congress to discredit him and his work: Therefore be it

"*Resolved by the Democrats of the seventeenth congressional district of Texas in convention assembled:*

"First, that Congressman BLANTON should be commended rather than censured for the earnest efforts he made to clean up the Government Printing Office and to stop waste, extravagance, and graft;

"Second, that posted citizens who read the daily CONGRESSIONAL RECORD know that the attacks made upon him in and out of Congress were not deserved but were unjustly made in a jealous attempt to discredit him; and

"Third, that Congressman BLANTON has ever proven himself to be the true friend of the masses, and has the confidence, esteem, and commendation of the great majority of his constituents, who, with other good citizens throughout Texas and the Nation, will continue to stand behind him in his efforts to improve existing conditions.

"Adopted unanimously.

"E. N. KIRBY,
"*Secretary Democratic Convention.*"

Some of my colleagues frequently ask me why I work so hard day and night, and why I remain on the floor of the House so constantly, watching legislation. I have placed all this data in the RECORD to let them know why. I owe it to my loyal, faithful constituents who have confidence in me. I am trying to merit that wonderful support they give me. The Clerk of the House of Representatives has kindly given me the following certificate:

HOUSE OF REPRESENTATIVES,
Clerk's Office.

I hereby certify that the original official tally sheets used in recording yea and nay votes, and on calls of the House during the third and fourth sessions of the Sixty-seventh Congress, November 20, 1922, to March 3, 1923, show that Hon. THOMAS L. BLANTON and Hon. EDWIN D. RICKETTS are recorded as present and voting on each and every call, being the only Members of the House who are so recorded.

WM. TYLER PAGE,
Clerk of the House of Representatives.

LIABILITY TO THE DEMOCRATIC PARTY.

In his attack on me the gentleman from Texas [Mr. GARNER], asserting that he spoke for the Democratic Party, said that I was a liability to the Democratic Party. The Democratic Party is our people back home. We Members here are merely their servants. I am willing to match my standing with his among our respective Democrats back home. He has lived in Uvalde County, Tex., for years. There the people know the worth of their neighbors. In the last Democratic primary, July 22, 1922, he was opposed by Mr. John T. Briscoe, of Medina County, who was practically unknown politically. Yet note the returns from such election in his Uvalde County by precincts:

Official returns from Democratic primary election held July 22, 1922, in Uvalde County, Tex., for Congress, fifteenth district.

Election precinct.	John N. Garner.	John T. Briscoe.
1. Uvalde	233	298
2. Sabinal	76	146
3. Utopia	46	90
4. Con Can	14	16
5. Aldine	7	23
6. Montel	30	39
7. Laguna	9	12
8. Cline	11	5
9. Bear Creek	9	19
10. Leona	4	12
11. Knippa	56	42
12. Uvalde	143	228
13. Sabinal	119	165
14. Reagan Wells	3	28
Total	760	1,123

Thus the gentleman from Texas [Mr. GARNER] lost both voting boxes in his home city of Uvalde and carried only two out of the 14 voting boxes of his home county, the two boxes carried by him being small, that of Cline, where the vote was Garner, 11, and Briscoe, 5, and Knippa, where the vote was Garner, 56, to Briscoe, 42. Whereas in the final contest with Mr. Callaway I carried all 26 voting boxes in my home county by an overwhelming majority in each, when, according to Mr. Callaway's own assertion, he had the combined help, influence, and support of Mr. Cunningham, Mr. Dibrell, and Mr. Holland, and this in addition to the active opposition of organized labor, Judge Wagstaff, and Mayor Dallas Scarborough.

IS IT GARNER OR BLANTON OUT OF LINE WITH DEMOCRATS?

From the statistics of the congressional election of November 7, 1922, just compiled and printed by the Clerk of the House of Representatives, I quote the vote received by each of the other Texas Congressmen in the general election last November, to wit: Eugene Black, 15,697; John C. Box, 21,216; Morgan G. Sanders, 16,323; Sam Rayburn, 21,327; Hatton W. Sumners, 23,051; Luther A. Johnson, 18,934; Clay Stone Briggs, 12,171; Daniel E. Garrett, 20,058; Joseph J. Mansfield, 17,479; James P. Buchanan, 18,590; Tom Connally, 16,092; Fritz G. Lanham, 20,014; Guinn Williams, 17,905; Harry M. Wurzbach, 19,083; John N. Garner, 14,366; C. B. Hudspeth, 17,970; Marvin Jones, 24,515.

The complete corrected returns from my district show that in this general election I received 24,986 votes, my opponent being from my home city of Abilene, Hon. W. D. Girand, Federal commissioner for years in the United States court there, carrying Taylor County against him by the vote of 2,139 to 143, as shown by the following:

Vote cast in the seventeenth congressional district in Texas, general election November 7, 1922, for United States Senator, governor, and Congressman of said district.

County.	For Senator.		For Governor.		For Congressman.	
	Earl B. Mayfield.	George Peddy.	Pat M. Neff.	Wm. H. Atwell.	Thomas L. Blanton.	W. D. Girand.
Brown	1,097	908	1,793	190	1,797	172
Burnet	687	301	793	157	814	126
Callahan	623	350	783	132	812	90
Coleman	1,198	783	1,740	165	1,807	126
Comanche	1,188	995	1,716	257	1,819	201
Concho	275	230	416	71	471	3
Eastland	2,348	1,441	3,261	418	3,233	385
Jones	1,382	520	1,697	120	1,702	115
Lampasas	628	328	777	149	804	110
Llano	358	267	510	91	527	63
McCulloch	721	244	867	70	872	60
Mills	561	439	77[illegible]	190	820	129
Nolan	839	323	1,037	90	1,043	55
Palo Pinto	1,685	556	1,980	191	2,077	91
Runnels	1,174	854	1,544	376	1,612	314
San Saba	482	402	844	84	858	58
Shackleford	283	398	689	35	710	21
Stephens	731	471	1,074	91	1,069	91
Taylor	1,875	405	2,043	171	2,139	143
Total	18,135	10,215	24,339	3,048	24,986	2,353

"THOMAS L. BLANTON led the Democratic ticket in his district by 648 votes over the Democratic nominee for governor and by 6,851 votes over the Democratic nominee for United States Senator."

Does the above indicate that Texas Democrats deem me a liability? Has any Member, under fire or otherwise, ever been accorded by his constituents greater confidence or more loyal support? In an editorial published April 27, 1922, among other things, the Houston (Tex.) Daily Post said:

THE SEVENTEENTH DISTRICT ANSWERS.

"The dispatches recorded a few days ago, when Representative THOMAS L. BLANTON arrived at Abilene, his home town, that his neighbors accorded him an ovation.

"Apart from Mr. BLANTON's personality, the circumstance is noteworthy, considered in connection with the tongue-lashing administered to the Abilene Representative by his colleague, Mr. GARNER. Abilene responded with an ovation, which must be considered somewhat as an answer to Mr. GARNER.

"One paper in South Carolina, the Columbia State, reflected on the quality of the citizenry of the seventeenth district, but it can be stated without offense, we hope, that no South Carolina district can compare with the seventeenth Texas district in point of wealth, population, or intelligence.

"It is the whitest district in Texas, color considered. The illiteracy there is the lowest of any district in Texas and confined almost exclusively to the less than 5,000 Mexican population. It contains 110,000 more people than Mr. GARNER's district, which contains 65,000 Mexicans in a population of 222,000.

"Now, what do the Texas Representatives make of it?

"The voters of the seventeenth district are not uninformed as to the abuses Mr. BLANTON exposed. Mr. BLANTON misrepresented nothing by having the whisky flask ordered. The flasks had been kept on sale, and by ordering the flask BLANTON merely showed how the stationery account could be diverted.

"Since the official report of the Clerk shows that it is a common thing, and has been always, to draw the stationery account in cash and devote it to personal use without accounting, the ordering of the flask wasn't needed to establish the charge of petty graft.

"The more the quarrel between BLANTON and his colleagues is aired, the more it appears that the charge of petty graft is not what has given offense, but the BLANTON campaign against appropriations not authorized by law. On the very day Mr. GARNER stationed himself behind his constitutional immunity and broadsided BLANTON the Abilene man came back and raised points of order against numerous appropriations and sent them to the discard.

"BLANTON declared that his colleagues were honest and would prefer that the petty graft system were not in existence, but that it was unpopular to raise the question. A generous estimate of the conscientious scruples of Members, but all the same the system could not stand if 20 Members were to fight it.

"As unpopular as Mr. BLANTON has become among his colleagues, he has reached the understanding of thousands of people in Texas who live beyond the confines of his district. The

issue he has raised is not going to die, because it involves the integrity of the public service."

The Kansas Official is the official magazine published by the County Clerks' Association, the County Commissioners' Association, the Registers of Deeds' Association, the District Clerks' Association, the County Treasurers' Association, the Probate Judges' Association, the County Engineers' Association, the State Peace Officers' Association, and the Probation Officers' Association of the State of Kansas, and edited by Mr. O. K. Swayze, at Topeka, Kans. I quote the following excerpts from an editorial from the Kansas Official, issue of September, 1922:

ALL THE PEOPLE CAN NOT BE FOOLED—SMART PRACTICES MAY DECEIVE A FEW POLITICIANS EASILY INFLUENCED, BUT THE TEXAS VOTERS ARE CONVINCED THAT CONGRESSMAN THOMAS L. BLANTON'S CAUSE IS JUST.

* * * "This indorsement of Mr. BLANTON by the voters of his district is a signal victory over the unjust attempts repeatedly undertaken to discredit him, and the Democrats and Republicans of his district have by their vote commended his course in his efforts to clean up the rotten conditions that existed in the Government Printing Office, where he showed conclusively there was waste, extravagance, and graft, under the sanction and connivance of unions. His courageous fight for freedom from the yoke of the Typographical Union in the Government Printery brought all sorts of threats and underhand efforts to break him financially, socially, and as a Member of Congress, and caused him to spend his fortune in combating, singlehanded, their despicable plans. Undaunted, he stuck to his text, proved his claims, and was vindicated by the people at home.

"THOMAS L. BLANTON will go back to Congress a victor over the MONDELL faction that tried to undo him, and will have the solid support of a district at home as well as the country at large.

"The damnable history of the fight on BLANTON is a matter of public record and is no credit to the Mondells in the House nor to those who control the Government Printery."

I quote the following excerpts from an editorial by Hon. Roy G. Watson of date September 5, 1922, in the Houston (Tex.) Daily Post:

THE SEVENTEENTH DISTRICT.

* * * "They had all the facts before them, and they decided that BLANTON was a man to retain in office.

"And why not? The petty abuses and extravagances of Capitol Hill in Washington ought to be decried.

"Points of order against unlawful items in appropriation bills ought to be raised.

"Unanimous consent ought not to be easy to obtain when raids upon the badly depleted National Treasury are pending.

"The little vices of the alleged stationery account ought to be beneath the dignity of Congress.

"The mileage allowance ought to be reduced to an honest basis.

"Such conditions as existed in the Government Printing Office were disgraceful, and somebody ought to have denounced them.

"BLANTON'S voice rang out against these things, and, of course, the wrath of the whole body rose against him.

"But there ought to be a voice courageous enough to stand for common propriety in Congress, and if BLANTON'S must be the voice, his constituents say they are responsible, and they accept the consequences.

"But BLANTON will behold scores of new faces in the Sixty-eighth Congress, when he stands at the bar of the House to take the oath of office."

The foregoing are illustrative of scores of such editorials and commendations I have received from patriotic Americans, Democrats and Republicans, from varied portions of the United States. I forgive my colleague, Mr. GARNER. He was angry. After all, he is a splendid, good fellow, and we shall yet be good friends. And I also forgive Mr. MONDELL. I joined my colleagues in giving him a parting gift, and I am really glad that he has been given an appointment, though I did strenuously oppose his being made a Cabinet officer and placed in charge of the great Department of the Interior, to which he so ardently aspired. I could not forget that in the Autobiography of Theodore Roosevelt (1919), on page 431, this great President of our Nation said that—

Mr. MONDELL consistently fought for local and private interests as against the interests of the people as a whole.

And again, on page 395, President Roosevelt said:

Mr. MONDELL is a Congressman who took the lead in every measure to prevent the conservation of our natural resources and the preservation of the national domain for the use of home seekers.

Many prominent Republicans scattered over the United States seem to have the same opinion, for I have received numerous copies of letters they wrote to Republican leaders here and to the President protesting against appointing Mr. MONDELL as Secretary of the Interior. The following letter written by Hon. Francis Ralston Welsh, a prominent Republican of Philadelphia, is a typical sample of same, to wit:

PHILADELPHIA, PA., *January 11, 1923.*

Hon. JAMES E. WATSON,
United States Senate, Washington, D. C.

DEAR SENATOR WATSON: I understand that the friends of Hon. FRANK W. MONDELL are endeavoring to have President Harding appoint him, etc. * * * I write to you as one of those closest to the President to suggest that such an appointment of a man who has become so malodorous as Mr. MONDELL would do the party an immense amount of harm. * * *

MONDELL'S attack on Congressman BLANTON in the House was * * * as was ever committed. That attack has already done the party a great deal of harm and has been directly responsible for the alienation of support in the last election of many Republicans, including one friend of the President who is very influential in Ohio politics. This gentleman has given the action of MONDELL as one of his reasons for refusing to contribute to the Republican campaign fund, and it was a large item in making me take the same position. It did much to alienate the support of one Republican newspaper and to cause lukewarmness on the part of others, and many prominent men have reported to me that it has had a similar effect among their friends. * * * The chief cause of MONDELL'S opposition to BLANTON was the fact that BLANTON tried to save the United States Government and citizens from the blight of criminal labor unionism and raised points of order against appropriation sneakers which had no business to be where they were, or they could not have been knocked out on points of order. MONDELL therefore is thoroughly malodorous to many people and was very thoroughly rejected in the recent election by his own State, and correspondence shows that his attack on BLANTON is a stench in the nostrils of some decent Republicans.

It is gratifying to see that the Bureau of Engraving and Printing is at last to use power presses instead of hand presses.

Sincerely,

F. R. WELSH.

It is recorded in Holy Writ that "they hanged Haman upon the scaffold which he had prepared for Mordecai."

EFFORT PAYS, AFTER ALL.

I feel that I have been vindicated absolutely. When my colleagues who have differed with me reflect they will realize that my purposes and intentions are good, that I have no ill will toward them, but that in all I have done and am doing I am earnestly, conscientiously striving to do my duty and keep my pledges to my constituents and be of some service to the American people. I hope to make friends with them all. Points of order are efficacious. They help to stop many wasteful appropriations. Let me cite pages 1204 and 1205 of the RECORD for January 3, 1923, showing that when a motion to recommit was made by the gentleman from Oklahoma [Mr. CARTER] to appropriate the usual $360,000 for free garden seeds for the next fiscal year the following occurred:

Mr. BLANTON. Mr. Speaker, I make the point of order against the motion to recommit.

Mr. ANDERSON. Mr. Speaker, I move the previous question on the motion to recommit.

Mr. BLANTON. Mr. Speaker, I make the point of order against the motion to recommit on the ground that the amendment is legislation unauthorized on an appropriation bill and it is a change of existing law. Especially I call the attention of the Chair to that part of the amendment embraced in the motion to recommit which authorizes the Secretary of Agriculture to make seed contracts for a period as long as five years, extending the contracts through the life of more than two Congresses. It is unauthorized, and it should not be permitted on an appropriation bill.

And after debate the following is the Speaker's ruling, sustaining my point of order:

The SPEAKER. The Chair prefers to rule. The Chair has heard the gentleman. The Chair thinks he ought to suggest that preserving the authority and binding force of parliamentary law is as much the duty of each Member of the House as it is the duty of the Chair, that the rights of every one of us here depend upon it, and that each Member ought to vote on such a question, not as his interest or desires in respect to the particular subject may sway him but as he thinks is really the law. It is unquestionably true that several times the Committee of the Whole House has overruled the decision of the Chairman of that committee and has held that an amendment like this is in order. That, however, has never been done in the House. If the House should take that action, of course the Chair would bow to the opinion of the House and follow it; but until then the Chair thinks that he is bound to follow the rules of parliamentary law, and the Chair thinks the same duty rests upon every individual Member of the House. The Chair sustains the point of order.

Mr. LANGLEY. Mr. Speaker, much as I respect the Speaker's judgment and fairness, I must respectfully appeal from the decision of the Chair.

And upon a roll call record test the membership of the House sustained the Speaker's ruling by a vote of 173 to 85. And thus

for the first time in our lifetime Congressmen and Senators will not distribute under their franks next fiscal year the usual $360,000 worth of free garden seeds.

Mr. IRELAND. Mr. Speaker, we are all tired and pretty well worn to-night and perhaps are growing just a trifle petulant under the strain, beyond our usual urbanity of mien, and I can not bring myself, even in these closing hours, to break my record and long impose upon your good nature and patience. So only for a brief moment do I purpose to test your forbearance.

I think it safe to assume that this is the last resolution I shall ever offer to the House of Representatives. In four years' rather constant work as chairman of the Committee on Accounts—during the Sixty-sixth and Sixty-seventh Congresses—not a single resolution that I have presented to the House has been defeated. We have had some pretty close calls on a few and two or three have been withdrawn on points of order sustained, but during the period mentioned none have been rejected by a vote of the House or failed of passage. This record, I presume, may not be unusual and the Committee on Accounts takes to itself no credit for wisdom or judgment in the character or nature of the resolutions offered other than that such as we possess of these attributes has been employed conscientiously. Rather do we usurp this opportunity to thank the House—both majority and minority—for their tolerance of our offering, their kindly consideration and apparent appreciation of the troublesome, vexatious, and aggravating nature of the matters, even though relatively unimportant, with which we were forced to deal. Whether it existed or not there has at least been an implied confidence, evidenced by the record, which the House has placed in this committee, and for this implied confidence we are deeply grateful and keenly appreciative. You might have made our lot much more uncomfortable than you have—especially the Democrats. The glaring occasional exceptions have been quite forgotten.

Perhaps no resolution presented from the Committee on Accounts fails to offer just ground for criticism; the very nature of the work of the committee in this regard almost at once admits it. And this grievous condition will continue to obtain just so long as the present lack of systematic coordination, cooperation, and relative equities of both salaries and duties of the various employees of the House is allowed to exist.

The Committee on Accounts, if not officially charged, is constantly importuned by a vast majority of the Members of the House to create some new position, or to raise the salary of some favored employee, or to grant specific additional compensation for extra services. Always an additional expense created, never a retrenchment. Often these cases are quite too meritorious to be denied. The Committee on Accounts inherits the job of correcting the situation and bringing about some equitable relationship of salaries and duties of employees of the House. But under the present antiquated and unbusinesslike system of doing this "piecemeal," as it were, such efforts will never avail anything or correct the evil, or abolish the abuse complained of, which both parties have employed with equal avarice as control of the House changes. It is quite amusing to see the strongest proponents of such resolutions become the greatest economists and "conscientious objectors" with each change of political complexion of the House. This "piecemeal" effort through the Committee on Accounts only provokes attack and will never eradicate the evil. Nothing but a complete reorganization of the House system of employment on a modern business basis of efficiency and the elimination of the patronage system will effect the desired end.

The consistency of the Committee on Accounts in this endeavor to humbly assist in such a movement is evidenced by the fact that for four years a bill contemplating such needed reform in our organization has been before this House. Also, that we employed the Bureau of Efficiency to make a survey of the House organization, and that report is on file and available. All these efforts have not met with the favor we had anticipated. This will all be turned over to the new joint committee just appointed to deal with this situation.

Now to turn to the business in hand. So long as you insist on adhering to this antiquated system of dealing with the inequalities growing out of it you must abide by the method you have yourselves provided. This little, and admittedly unimportant, committee seems to be able to arouse more unsolicited attention than it really deserves. Ofttimes I have thought that a comparatively insignificant resolution from the Committee on Accounts involving a trifling sum to be expended from the contingent fund attracts greater interest and attention than an appropriation dealing with millions of the public moneys. Why is this? What is the use? The membership of this House does certainly not admit a caliber of "penny wise and pound foolish" economy. As before cited, these resolutions usually pass; and each Member who vociferously objects has expressed his views on similar occasions on similar resolutions for the benefit of the "dear people," and such expressions are of record. It is simply a matter of reiteration, and why not refer to a former printed record and save some of the oft-defended people's money.

As a case in point: A few days ago we offered a resolution raising the basic salary of the chief janitor of the House $300. It was a very meritorious case. He deserved it. It was sponsored by one of the most conscientious Members of the House. It was the only request he had ever made before the committee so long as I have been in charge. The corresponding position in the Senate paid $500 more. I cite this as a splendid case deserving advancement, yet it provoked heated debate when the House should have devoted its attention to much more important matters. A roll call was demanded, and sufficient Members responded to have it ordered. The resolution passed with a comfortable majority, as usual. Several men of better ability consumed time, and little else, delaying the more important business of the House by reiteration of former speeches. The actual time consumed and the delay accomplished by filibuster cost the Government three times the amount involved in the resolution, and more. No great consistency of economic effort is shown in such a performance.

So long as you condone a custom, can you reconcile the practice as resulting in an economic good? I have never presumed to lecture the House and feel it would be quite presumptuous to do so now. These remarks are born of a jealousy of the good name of this House and of the economic efficiency of its membership. I shall be quite as jealous of its performance in my withdrawal therefrom as I have in participation in its proceedings. I can never hope or wish to be associated with a finer body of men whose energy and splendid, unusual ability is more conscientiously directed than those with whom it has been my privilege to serve for the last six years. I do not like to see them held up to derision by the public as wasting their time over such trifling matters as cited when the ultimate result is never changed. It is time wasted where their efforts and ability deserve much better.

I can add nothing to the question involved, the resolution under consideration, than the observations I have already made in general. I feel confident that the resolution will pass.

Mr. MACGREGOR. Mr. Speaker, every day in every way it is confirmed that "there is nothing new under the sun." In a couple of days we will probably see in the public press the usual statements that the present Congress has been the worst in the history of the Republic. Do not take it too seriously. I would not be surprised, because every day in every way the people are forgetting the advice of good old Ben Franklin, "God helps them that help themselves." It would seem that the clamor grows louder and more insistent, but perhaps not. I note that Daniel Webster in 1833 made a speech in the Senate of the United States in which he said:

> There are persons who constantly clamor. They complain of oppression, speculation, and pernicious influence of accumulated wealth. They cry out loudly against all banks and corporations and all means by which small capitalists become united in order to produce important and beneficial results. They carry on mad hostility against all established institutions. They would choke the fountains of industry and dry all streams. In a country of unbounded liberty they clamor against oppression. In a country of perfect equality they would move heaven and earth against privilege and monopoly. In a country where property is more evenly divided than anywhere else they rend the air, shouting agrarian doctrines. In a country where wages of labor are high beyond parallel they would teach the laborer that he is but an oppressed slave.

Amid all the clamors the present Congress has fulfilled its functions in a manner that bespeaks its high character. It has succeeded in materially reducing the burden of taxation. It has considered those things that are of vital interest to the people. It has been truly human and representative of the people to some extent in their fallacies, but mainly hewing to the line of correct action.

We are living in a wonderful age. New problems and new relations confront us. The world disturbances have taken us out of the rut and brought us face to face with altered ideas and changed conditions. It is remarkable that amid the turmoil and with these new conditions Congress has been able to function in such a common-sense way. It is a demonstration of the wonderful strength of the United States. It is an index of the intelligence and capacity of the American people for self-government.

The Sixty-seventh Congress will be assailed and called bad names, but the Members need not be downcast because it is a repetition of the usual.

A few days ago a presumably intelligent chaplain of the Massachusetts Senate called God's attention to our delinquencies for fear God might not know it already:

The New England spirit is not dead. * * * At the present time it views with sadness the record of the National Congress, soon to end. It is alarmed at its evident lack of earnest purpose, undignified proceedings, and blindness to the public welfare. Statesmanship has been lost sight of in personal prejudice and bickering. Domestic and world-wide problems have been left unsolved and the people's reasonable hopes and eager anticipations dashed aside.

This is old stuff. The Fortieth Congress, in which sat Roscoe Conkling, Samuel Randall, Rutherford B. Hayes, James A. Garfield, Schuyler Colfax, and other men of great capacity, was complimented by the Atlantic Monthly of 1869, as follows:

Congress has rather a bad name. The effect produced upon the country some weeks ago by certain tirades in the Senate shows how general is the feeling that the Congress of the United States is sliding down toward the bottomless pit of infamy, where the aldermen, councilmen, and supervisors of the city of New York are more than content to dwell.

* * * * * * *

The reputation of Congress is, to use the words of Henry Clay, "part of the moral property" of the Nation. It is a precious right of the people to think as well of Congress as the truth respecting it allows.

The Twenty-eighth Congress, in which sat Henry Clay, Franklin Pierce, Millard Fillmore, Thomas Benton, Silas Wright, John C. Calhoun and many others whose names stand high upon the roll of our country's statesmen, was commented upon by the American Review in March, 1845, as follows:

The last sands of the present Congress run low and soon, amid the deafening huzzas of the exulting, scheming, struggling thousands who have assembled in Washington to dignify and grace by their presence the inauguration of a new President, it will noiselessly dissolve into its original nothingness. Undeserving as it may be of a mausoleum, or even a monument, it may not clearly be denied an epitaph.

The Forty-third Congress was the subject of comment by the editor of the Nation, July 2, 1874. The Nation at that time stood very high among the magazines of the country, being edited by Mr. Godkin, who was one of the country's most able political writers. His choice and scathing comments are as follows:

THE WORK AND CHARACTER OF CONGRESS.

The daily press has classified the work of the present Congress with remarkable unanimity in holding that the things which ought not to be done Congress has very properly left undone, and the things which ought to be done it has left undone likewise. In other words, the judgment of the country is that the sins of Congress are those of omission rather than of commission; and that we have not had a very bad Congress because we have had nearly as possible no Congress at all.

* * * * * * *

A House of Representatives, which could only be held together by speeches that produced laughter and that allowed itself to be bullied and led by the buffoonery of Butler, is not one from which much can be hoped; and the general expression of the country is not far from the right when everybody thanks heaven that we have got off so well. The present House of Representatives is the most unwieldy legislative body that the country ever had—for which, however, it is not responsible—and it is made up largely of ignorant men of a lower average of intellectual ability than is usually found there.

* * * * * * *

Our financial troubles, our paralyzed industries, our wrecked railway and manufacturing enterprises are largely due to the constant presence of this cheap and worthless material in Congress.

I have completed my second term in Congress. I have devoted every minute of my time for four years to the service of the people of my district and of the country. To render proper service, in accordance with my lights, it was necessary to do so. During these four years I have been brought into intimate relations with most of the Members of the House of Representatives. During all of that time I never came into contact with any Member whom I thought was not keen and anxious to do those things that were for the best interests of the people whom he represented and the country at large. I am impressed with the high character of the Members of Congress. They are not supermen; they are not all paragons of wisdom, but they are truly representative of the intelligence of the American people.

The Sixty-seventh Congress has performed its difficult tasks well, and its Members have cause to rejoice in its accomplishments.

Mr. ASWELL. Mr. Speaker, it is most gratifying to observe a complete change of sentiment in the Congress of the United States with reference to flood-control legislation. Within the past few years this question has changed from a partisan and sectional one to a recognized national problem of vast proportions. This is the first time in the history of the Government that gentlemen on both sides of the Chamber are coming to the support of legislation to control the Mississippi River and its tributaries, coming whole-heartedly and without reservation, believing that the industrial and economic conditions of all sections of the country will be greatly benefited by this legislation.

The flood control act of 1917 was bitterly opposed on the floor of this House, but the results of that act have amply justified its passage. Enough has been done in controlling the floods of the great river and its tributaries to reveal the possibilities of the great valley when the Government assumes full and complete control of its flood waters. Confidence is being rapidly reestablished in the rising value of this the most fertile and productive area in the world. It is now happily recognized that these lands places on the tax rolls, when their real values are revealed, will return to the Government in taxes alone all the moneys that will necessarily be appropriated for their complete protection.

The whole country is vitally interested, and those of us who live in that region and who have worked earnestly and constantly for the passage of this measure are gratified to-day beyond expression. With genuine delight we hear the voices of Members of Congress from the East, from the North, and from the West joining with Members from the South, all recognizing that this is a real national problem, all rejoicing in the promise to-day of greatly increasing the wealth of the Nation through controlling the flood waters of the Mississippi and its tributaries. This attitude expressed by you, gentlemen of the House, brings us of the South renewed faith in the justice of our Government and pride in the patriotic and broad-visioned Members of this Congress, because you are doing this thing earnestly sought and eagerly worked for during many years of struggle and sacrifice by those who live in the valley. We have been looking forward in confidence to the day when this legislation would give security and thus bring immeasurable wealth not only to the valley region but to the whole country. All of us rejoice to see this great measure supported by this Congress practically without a dissenting voice.

Mr. TILSON. Mr. Speaker, just two years have now elapsed since the Republican Party came into control of the National Government. In view of the approaching recess of Congress, it is fitting that a brief review should be made of its achievements within that short space of time. Much was expected of the party and much has been accomplished, although, as always, much remains to be done.

The magnitude of the task and the extent of the accomplishment can not be fully appreciated without at least a brief résumé of the conditions that prevailed at the time the present administration came into power.

No one will deny that our international affairs were then in a deplorable condition. Although hostilities had been terminated for more than two years, we were still technically at war with the central powers of Europe. Our relations with many other countries were strained. The principal nations of the world were engaged in a mad competition for the upbuilding of navies and naval armaments for the next world conflict that was freely predicted.

Chaos and confusion reigned in our domestic affairs.

Our national interest-bearing indebtedness had grown from less than $1,000,000,000 to the staggering sum of $24,000,000,000, a considerable portion of which has been shown to have been due to recklessness, extravagance, and incompetence. The interest charge had grown from less than $23,000,000 to more than $1,000,000,000. Eleven billion dollars had been loaned to foreign countries, and no provision had been made for the funding of that enormous indebtedness.

A vast merchant fleet had been built, but many of the ships were worthless. Many of these ships had been built after the armistice because there was no cancellation clause in the contracts for their construction. The cost of our shipping program amounted to over $3,000,000,000 and we had to show for it assets then conservatively estimated at worth less than $500,000,000, with claims against the Government amounting to $200,000,000 growing out of our shipbuilding venture.

The railroads of the country were thoroughly demoralized under their extravagant management and operation by the last administration, which alone cost the country in taxes the sum of $2,950,000,000.

The farmers of the country were face to face with financial disaster as a result of the sudden fall in the prices of agricultural products.

The manufacturing and commercial interests of the country were suffering from an unparalleled depression resulting in widespread unemployment. Numerous estimates made by the Department of Labor, then under Democratic control, and by the American Federation of Labor, placed the number of persons then out of employment at 5,000,000 and more. This condition was largely brought about and greatly intensified by the actual and threatened influx of foreign-made cheap goods.

Such was the heritage the Republican party received from the last Democratic administration.

Since assuming control of the Government, the Republican party has solved many of the pressing problems that confronted

the country and has made substantial progress toward the solution of the remaining problems.

Among the outstanding achievements of the present Republican Congress and national administration the following may be mentioned:

It has established peace with Germany and Austria, restored commerce and intercourse with those nations, and preserved for the United States all of our rights under the Versailles treaty, without involving us in the meshes of European entanglements.

It has provided a means for funding our loans to the Allies and has actually consummated an agreement with our greatest debtor, which financiers and statesmen of all political affiliations agree is wise and sound, and which, in the opinion of such men, will do much toward restoring certainty and stability to the financial world.

It has maintained friendly relations with all foreign nations.

Through the mediation of this country, it has provided a means for the settlement of a dispute between Chile and Peru, thus avoiding a possible war in South America.

It has taken steps to restore friendly relations with Mexico and to secure the treaty rights of American citizens in that country.

By the Conference for the Limitation of Armament, it has made the greatest advance in history toward universal peace and the abolition of war.

It has greatly reduced naval and military appropriations without the impairment of our national security.

It has established a Budget system which, by placing our finances on a business basis, has already resulted in great economies and assures greater economies in the future.

It has reduced the operating expenses of the Government from practically $5,500,000,000 during the last year of the Democratic administration to an expenditure for the present fiscal year of approximately $3,500,000,000.

It has reduced the national debt by more than a billion dollars.

By the revision of the revenue laws it has relieved the people of a burden of over $800,000,000 in Federal taxes.

By its wise fiscal policy and the skillful refunding operations of the Treasury Department it has restored liberty bonds to par.

It has reformed the tangled mass of legislation relative to World War service men by consolidating all bureaus charged with responsibility on this subject in the Veterans' Bureau, thereby making possible a more prompt and equitable settlement of claims on behalf of disabled veterans.

It has enacted a protective tariff measure to meet the conditions growing out of the World War. The need for protection to American labor and industries was never greater than at the beginning of the present administration, when an influx of foreign goods was being encouraged not only by low labor costs abroad, but by a depreciated and constantly depreciating exchange, which gave to the countries with such depreciated currency a great advantage in shipping goods to this market, which is always far more important to us than our foreign market.

Owing to the rapid changes constantly taking place in the economic conditions of European countries, the provisions of the new tariff law were made flexible, and the President was invested with discretionary power, within prescribed limits, to meet such changing conditions. While fully protecting our home market, more than 60 per cent of all imports now come in free under the provisions of the new tariff law and the average rates on dutiable articles are lower than in any previous Republican tariff law.

The only persons who have been displeased by the operation of the new tariff law are the Democratic spellbinders and campaign-literature writers, who have been shown up so effectively as false prophets. They prophesied freely that the tariff rates were so high that imports would be restricted to such an extent that our income from duties would not reach $300,000,000 and that our exports would necessarily be greatly reduced. Republican proponents of the law claimed that it would produce $450,000,000 revenue and that our exports would not be reduced. The figures for the period during which the law has been in operation are more favorable than the most sanguine Republicans predicted. Revenue from the tariff duties are now coming into the Treasury at a rate greater than $500,000,000 per year, while exports are actually increasing. No tariff law in our history has in so short a time produced results so satisfactory.

In short, the joint work of Congress and the administration has placed the country once more on the high road of orderly progress and assured prosperity.

This summary of the achievements of the national administration and the outgoing Republican Congress is submitted to the candid and unprejudiced judgment of the American people. It is a record of achievement never before equaled by any national administration within so short a period of time, and one which the Republican Party is pleased to submit to the calm, dispassionate consideration of the people during the recess of Congress.

It is fortunate for the country that the Republican Party is to continue in control of national legislation during the next two years, and, although the margin of control is somewhat narrow, it is still possible to go on with the orderly development of the policies of the party, to which the country expressed its adherence by an overwhelming vote at the last presidential election. Not to do so would mean to halt in the middle of a national administration, stop progress, and delay the return toward normal conditions. The country can not afford to halt in its forward march even to await the momentous result of the next presidential election. The Republican Party has always stood for orderly progress along safe and sane lines of constructive legislation and administration. The next two years will prove no exception to the rule already so well established.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, the recent approval by Congress of the settlement between the United States and Great Britain of the debt of Great Britain to our country, totaling approximately $4,600,000,000, stands as a notable example of nonpartisan statesmanship, as the plan was almost unanimously adopted.

A further far-reaching result is that the settlement will stand as a model for the negotiations with the other nations of the world, not only in the obligations due the United States but also in all settlements between nations.

The debts between nations have stood as a black cloud on the horizon of international relations, a menace to the peace of the world. They have stood as the nightmare of instability and unhappy, chaotic uncertainty.

The statements made by great leaders on both sides of the Atlantic as to the significance of the settlement already reached is not an exaggeration. It stands as a high example of Anglo-Saxon unity. It gives a basis for the establishment of the ties of amity, comity, and fraternity. It makes possible a standardization of the settlements of the obligations of nations that will insure the tranquillity of the world.

BOTH BORN IN GEORGIA.

It is with peculiar pride that as a Representative of Georgia I can point to the initiation of this monumental program of profound significance to all the earth on the part of an organization that had its birth in my State in 1837 and to a man who has been the directing executive of that organization for more than a decade who is a son of Georgia. I refer to the Southern Commercial Congress and to Clarence J. Owens, president of that organization, both born in the city of Augusta.

Doctor Owens, as director general of the Southern Commercial Congress, organized the American commission in 1913 that made the exhaustive investigation of agricultural organization in 18 countries of Europe. It was his genius that organized and directed this epochal work that resulted in the Federal farm loan act, under which approximately $1,000,000,000 has been loaned to American farmers. Every acre of land in America is now a basis of credit for a long-time loan at a low rate of interest and on the amortization plan. The record of this work may be found in Senate Document No. 214 of the Sixty-third Congress. When the Congress of the United States passed the law in 1916, with refreshing magnanimity, published in Senate Document No. 500 of the Sixty-fourth Congress, containing the law, it gave to the Southern Commercial Congress the credit for the initiation of this constructive, statesmanlike achievement.

Now, in 1922 the same organization, under the presidency of the same Georgian, directed the International Trade Commission in a further investigation in Europe. In fact, the congress has to its credit eight foreign missions, each of which has rendered a conspicuous service to the country. But in 1922 Doctor Owens was able to stir the imagination of European statesmen and business leaders by reporting the result of the work of the American commission in 1913 through the application of the principle of amortization to farm finance in America. He then boldly announced, at a time when no definite, concrete plan was before the public and when the nations were staggering in economic uncertainty—he announced two words as containing the key to the solution of the problem of the settlement of the debts of nations, namely, moratorium and amortization. From Berlin it flashed over Europe and throughout America. The plan was submitted to statesmen, business organizations, and debt-funding commissions in Europe and the

United States. The report of the International Trade Commission was submitted to the fifteenth annual convention of the Southern Commercial Congress in Chicago November 20 and was published in the CONGRESSIONAL RECORD under date of January 25.

The principle of amortization is no new scheme of finance in the world, but it was left for the inventive genius of Clarence J. Owens to apply it in actual tables of amortization to the program of the settlement of the debts of nations due the United States. These tables were declared authentic through a certificate issued by the department of mathematics of the University of Chicago. They were placed in the hands of Secretary Mellon, the chairman of the United States commission, and also in the hands of Hon. Stanley Baldwin, chairman of the British commission. Secretary Mellon, Secretary Hughes, and Chancellor of Exchequer Baldwin in their letters to Owens had the following to say:

(Letter from Hon. A. W. Mellon, Secretary of the Treasury.)

NOVEMBER 4, 1922.

CLARENCE J. OWENS, Esq.,
President the Southern Commercial Congress,
Southern Building, Washington, D. C.

DEAR SIR: I beg to acknowledge your letter of October 31 inclosing copy of the preliminary report of the International Trade Commission which was assembled by the Southern Commercial Congress.

I note that a copy of the final report will be sent immediately after November 20, when it is to be released.

I also note your offer to send a complete report as to a plan of amortization, and beg to say that I should be glad to receive the same.

Thanking you, believe me, yours very truly,

A. W. MELLON, *Secretary.*

(Letter from Hon. Charles E. Hughes, Secretary of State.)

NOVEMBER 14, 1922.

Mr. CLARENCE J. OWENS,
President the Southern Commercial Congress,
Southern Building, Washington, D. C.

MY DEAR MR. OWENS: I regret that on account of the pressure of work in the department I have been unable before this to acknowledge the receipt of your letter of October 31, inclosing a copy of the preliminary report of the International Trade Commission assembled by the Southern Commercial Congress. I am deeply interested in the important subjects to which this report refers, and I appreciate your courtesy in sending me a copy.

Sincerely yours,

CHARLES E. HUGHES.

(Letter from the Hon. Stanley Baldwin, chancellor of the exchequer and chairman of the British mission of Great Britain to the United States.)

SHOREHAM HOTEL,
Washington, January 15, 1923.

Mr. CLARENCE J. OWENS.

DEAR MR. OWENS: I am very grateful to you for being so good as to furnish me with a copy of the preliminary report of the International Trade Commission of the Southern Commercial Congress, together with amortization tables for the payment of the debts of nations, including German reparations.

I should like at once to express my admiration of the careful research and mature thought which have been brought to bear upon questions of great intricacy and difficulty.

It was a great pleasure to me to have the honor of a conference with you and the advantage of being favored with the impressions you have derived as a result of your extended tour on the Continent of Europe.

Yours sincerely,

STANLEY BALDWIN.

I gladly gave my vote for the approval of the settlement of Great Britain's debt to our country. I am proud that the mother country was the first among the troubled nations to negotiate and arrange for the payment of her debt. We may rejoice in the act that brings a new sense of appreciation of the blood of our fathers that runs true to the highest standards of ethics and international justice. We are living in the day when the statue of George Washington stands on a pedestal the equal of that of Nelson, in Trafalgar Square, at the capital of the British Empire. The settlement between America and England now becomes the model, and a new feeling of security is felt around the world and a new hope is born that peace may prevail and righteousness exalt the nations of the earth. Blind men may fume and fret about a rate of interest or a "pound of flesh," but statesmen who see our international needs have found a reasonable basis on which to build the security of the future. For the great present, at least, a preventive method has been applied as a protection against another "selective draft," another mobilization of millions of men and billions of wealth to be fed to the god of war.

Never mind about the differential in interest. If England's sturdy arm and bleeding heart had not suffered first and most for civilization, the cost to America would have been many billions more of money and perhaps a full million of the flower of our country's manhood. England and America need each other, and this mighty handclasp of Anglo-Saxon fellowship will help to steady the feverish pulse of the restless world.

Mr. KELLY of Pennsylvania. Mr. Speaker, in the city of Harrisburg, Pa., on October 19, 1922, there was dedicated a splendid statue in memory of the services of Andrew Gregg Curtin, Pennsylvania's governor during the Civil War. It was my honor to deliver the address at the dedication ceremonies when the memorial statue had been unveiled by William W. Curtin, son of the war governor. At the request of many posts of the Grand Army of the Republic I am placing in the RECORD my address on that occasion.

"GOVERNOR CURTIN—CAPTAIN COURAGEOUS."

Mr. Chairman, men and women, boys and girls of Pennsylvania, a great man is not only born but made. Andrew Gregg Curtin was born of the stuff from which come men of fiber and force and fire, and his time made him a captain of liberty who left his impress upon American history. His ancestors were pioneers from old Emerald Isle who faced hardships and dangers unafraid and made the Pennsylvania wilderness to blossom as the rose. Inevitably his mother was one of God's noble women, for Curtin, like every other great man, was what his mother made him. From her he received inspiration for service to America through public life. Her father, Andrew Gregg, had served in the United States House of Representatives and the United States Senate and made a record for red-blooded patriotism excelled by none of the statesmen of those formative times.

At his mother's knee Andrew Curtin learned of the glory of a people's nation where every citizen is an uncrowned king, a sovereign in a government founded to give and guarantee simple justice to each and all.

That was the keynote of his life. When there came the times that tried men's souls Andrew Curtin was prepared for leadership by a mother whose devotion to the righteousness of democracy had made his infant sinews strong as steel. He had a chart for action; the compass of his soul pointed straight to the star of people's rule. Out of his faith in America and her people came that invincible force which mastered opposition, developed power as it proceeded, and compelled victory.

Even as a boy he swept valiantly into the thick of the battle for equal rights and equal opportunities. The bitterest political struggles in Pennsylvania before 1860 were over the question of public schools. In this day of universal recognition of the common school as America's greatest institution it is almost incredible that there was a time when it spelled the doom of a candidate for public office if he declared in favor of the education of all children at the expense of the community.

The plan of education followed was that of pauper schools. Only the children whose parents declared they were too poor to furnish means of education were permitted to attend the State schools. This shameful badge of pauperism prevented many parents from applying for the permission, and ignorance and illiteracy were the natural results.

In the battle to change this odious provision into a program for the public education of every child, rich and poor, Andrew Curtin had a leading part. His first public office was superintendent of public instruction. His dynamic energy helped to transfer a jellyfish system of schools into a vertebrate organization, strong and robust. He founded the normal schools and made them training stations for the teachers who should guide the young generation along the path of efficient citizenship. He insisted upon increasing appropriations for the schools, and in spite of all opposition he had his way.

His philosophy was clear. The people must rule; therefore the people must be enlightened. Without evasion or mental reservation he believed in democracy, equal rights for all. With level-eyed vision he saw that the equality of the Declaration of Independence is a mockery and delusion unless every child has a fair start in the race of life. There must be light for every mind, knowledge for every child. He proposed to see that all those upon whom the duties of citizenship should rest secured at the expense of the State the fundamentals of an education.

How important was this task! The Pennsylvania lads who answered Curtin's call to rally to the defense of their threatened country were trained in Curtin's common schools. His schoolhouses had proved fortresses of liberty. His arguments were vindicated in the sight of all men. The young men of Pennsylvania, in the schoolhouses of the State, came to know the truth and the truth made them free. When the test came they helped Curtin make Pennsylvania, in graver perils than all the other northern Commonwealths, the barrier against which the fury of rebellion dashed to its own destruction.

Andrew Curtin was born and lived his early manhood years in an atmosphere of cowardice and compromise. Slavery cast its baleful shadow over the entire Nation. The slave-holding autocracy was in the saddle in Washington, demanding that its "peculiar institution" be recognized as sacred everywhere. Great leaders made efforts, vigorous though vain, to serve God

and mammon. Statesmanship was the art of neutrality, and political parties juggled with every issue save this fundamental one, upon whose solution life and death depended.

Impossible to make Andrew Curtin a neutral in such a time. He could not stand halting between two opinions. Like the prophet of old he shouted, "If the Lord be God, follow him; but if Baal, follow him!" His brain found fuel in his blood, and his mind held converse with his heart.

He saw that underneath the issues of slavery and State's rights was a vaster issue still—whether a Government conceived in liberty and dedicated to the proposition that all men are created equal was to endure or perish.

Keep silent? He felt it to be the supreme sin. Here was the mightiest problem that could face the Nation. Upon it he concentrated all his powers and stood by his convictions with virility. In the midst of cold neutrality he was like the lens which can catch up a sunbeam even on a winter day and burn a hole through an oak plank. He refused to stand without opinions when the greatest need was courageous, constructive thinking and speaking. Had others been like him perhaps war could have been avoided. Perhaps legislation would not have been enacted through bloody war, with columns of troops as voters, and bullets, bayonets, and cannon as votes. In any case it was eminently appropriate that Pennsylvania, the keystone in the temple of the Republic, should furnish the great champion of unity in the hour of division and disunion. William Penn had founded his Commonwealth as a monument to fraternity and equality. He came to America "to prove to the world that there is in human nature virtue sufficient for self-government." The separate and sacred mission of Pennsylvania among the Colonies was to proclaim the power of justice and neighborliness in dealing with the Indians, the negroes, and white men. It was a son of Pennsylvania, James Wilson, who wrought most forcefully in the United States Constitutional Convention to make the new charter a bulwark of democracy.

There was a still more compelling reason why Pennsylvania should furnish a great champion of the sovereignty of the American people. President James Buchanan was a Pennsylvanian. Swayed by advisers whose whole political philosophy was founded on State sovereignty, though Chief Magistrate of the Nation, he was an ally of disunion.

While secession threatened destruction and anarchy was proclaimed by political leaders in 1860, Buchanan wavered in doubt and uncertainty. Then in his annual message, December 4, 1860, he gave only counsel of despair.

You may be called upon—

The President said to Congress—

to decide the momentous question whether you possess the power by force of arms to compel a State to remain in the Union. Has the Constitution delegated to Congress the power to coerce a State into submission, which is attempting to withdraw or has actually withdrawn from the Confederacy? After much serious reflection I have arrived at the conclusion that no such power has been delegated to Congress or to any other department of the Federal Government.

The South was jubilant over the official pronouncement of its own false doctrines. The lovers of the old Union were filled with forebodings and torn with anxiety. Abraham Lincoln, their choice for President, would not take his office for three months, and there seemed in all the Nation no man in commanding position who could voice the convictions of those who believed in Union and liberty as one and inseparable, and that the only sovereign is the power of the whole people.

In that pivotal hour Andrew Curtin delivered his inaugural address. He had been elected Governor of Pennsylvania in October and his victory made possible the election of Lincoln. He had carried the flag of his cause from Lake Erie to the Delaware in a campaign of matchless brilliance. A. K. McClure, chairman of the State committee in charge of that campaign, has said that the triumph of Curtin in the election proclaimed to the world that the Keystone State was ready for any sacrifice in the cause of a "Government of the people, for the people, and by the people."

Thus it was that out of the darkness caused by a Pennsylvanian in the White House there rose the morning star of hope in the person of the new occupant of the executive mansion at Harrisburg. Fearlessly and with matchless force he met Buchanan's challenge.

Ours is a National Government. He declared in his inaugural message, January 15, 1861—

No part of the people, no State, or combination of States can voluntarily secede from the Union, nor absolve themselves from the obligations to it. To permit a State to withdraw at pleasure from the Union, without the consent of the rest, is to confess that our Government is a failure. Pennsylvania can never acquiesce in such a conspiracy or consent to a doctrine which involves the destruction of the Government. It is the first duty of the national authorities to stay the progress of anarchy and enforce the laws; and Pennsylvania, with a united people, will give them an honest, faithful, and active support. The people mean to preserve the integrity of the National Union at every hazard.

Two men from Pennsylvania had set the battle in array. The same Keystone State had nurtured the men who placed State sovereignty against people's sovereignty and an ocean of blood was to flow before the issue was decided—

One ship drives east and the other drives west,
While the selfsame breezes blow,
'Tis the set of the sails and not the gales
That bids them where to go.

Governor Curtin knew exactly where he was going, and that is the first requirement for any man who is to steer the ship of State.

Thank God in that hour of gathering storm the sails of Pennsylvania were set by Andrew Curtin toward the goal of one Nation, one people, and one flag.

Less than two months after this vibrant message Abraham Lincoln was inaugurated President of the United States. His masterful inaugural showed the effect of Governor Curtin's faith—

"Why should there not be patient confidence in the ultimate justice of the people?" said Lincoln. "Is there any better or equal hope in the world?"

But his kindly counsel could not prevail. Mobbism, sectionalism, and fanaticism were bent on the ruin of the Republic. Soon came the firing on Fort Sumter and the dire need of self-defense. Lincoln issued a call to the governors for 75,000 men to preserve the Union. Liberty drew the sword for a death grapple with disunion.

It was another decisive hour. Many supporters of Lincoln drew back in dread at the thought of a fraternal war. From many States came a blazing opposition. The Governor of Maryland called for troops to serve only within the State and then suggested to Lincoln that the dispute could be settled by the British ambassador. The Governor of North Carolina declared he would not be a party to—

this war upon the liberties of a free people.

The Governors of Tennessee and Arkansas flayed Lincoln for his proclamation, and the Governor of Missouri replied:

Your requisition is illegal, unconstitutional, inhuman, and diabolical and can not be complied with.

Grandly, in the midst of this roar of opposition, rose the reply of Pennsylvania's governor. Instantly the entire resources of the Keystone State were tendered to the President. Immediately he issued a call for volunteers. Within 12 hours 500 laborers, miners, and mechanics from the mines and mills of Pennsylvania had laid down their tools and in their everyday clothes were on their way to Harrisburg to be mustered into the service of their country.

The State of Pennsylvania had neither arms, uniforms, nor munitions for them, but Governor Curtin took them into the service and sped them toward Washington to defend the Capital.

Galusha A. Grow, Congressman from Pennsylvania, who was Speaker of the House under Lincoln, was on his way to Washington on the 18th of April. He describes how the Keystone volunteers, clothed in the begrimed and blackened suit of the mines and workshops, filled the cars.

This little heroic band of laborers from the interior of Pennsylvania—

says Speaker Grow—

to whom Congress subsequently awarded medals and votes of thanks as first defenders, were the vanguard in the mightiest conflict of arms in the history of the race.

Splendidly was Curtin's faith in the common people vindicated. Patriotism does not grow in the soil of idleness and luxury. It thrives among the industrious citizens of a nation. It was the workers of Pennsylvania who saved Washington from rebel capture in the spring of 1861 and the workers of America who saved the Union.

Great throngs of Pennsylvania men crowded into Harrisburg in answer to the governor's call. Camp Curtin was established on April 18, and through this great training center went hundreds of thousands of fighting men.

The officials at Washington forebade further enlistments, because the men were not needed. Curtin, with far-sighted wisdom, mustered them into the Pennsylvania reserves and held them. Came a time when anguished calls for help rose from Washington, and these Pennsylvania reserves stopped the rout of Bull Run and saved the Capital City on the Potomac.

Curtin's work in organizing the soldiers is a story of inconceivable energy. In the beginning there was a situation which caused William Tecumseh Sherman, on his way to Washington with his famous Light Artillery, to exclaim, "How defenseless! A small body of organized men could ravage your mighty State." Pennsylvania was unprepared. Its borders were unguarded, its

weapons rusty and broken. But Pennsylvania had Curtin and a loyal people.

In the end 454,842 men had answered the governor's call—a force great enough to have held back the armies of the world.

To every one of these soldiers of freedom Governor Curtin was a comrade indeed. His proudest name, "The Soldiers' Friend," was no claptrap title, no cunning invention of the politician; it was the creation of the mess, the hospital, the field.

Every Pennsylvania regiment carried the colors of the Keystone State, placed in its hands by Governor Curtin. The first presentation was made at Tennallytown, Md., on the 10th of September, 1861.

I present to you to-day as the representative of the people of Pennsylvania these beautiful colors—

Said the governor—

Thousands of your fellow citizens at home look to you to vindicate the honor of your State. They follow you with their prayers. They look to you to vindicate a great Government. May God, in His wisdom, protect your lives, and may right, truth, and justice prevail.

Those war-torn banners and all the others were returned in 1866 and were presented to the State by Maj. Gen. George Meade, victor of Gettysburg. They were riddled with shot and shell, blood stained and cannon scorched, but they blazed in imperishable glory. They had been carried through a thousand battles by Pennsylvania veterans, who nobly "vindicated a great Government, sustained legitimate power, and crushed out rebellion."

Governor Curtin accepted the flags he had given the regiments.

If there be men—

He said—

more distinguished than others, more entitled to our highest veneration, it is the private soldier of the Republic. If we follow him through all the suffering and privations of the service, his long, weary months, his perils on the outposts, his wounds and sickness, even in the hour of death, we trail him back to that sentiment of devotion to his country that led him to separate from home ties and to offer even his life as sacrifice to the Government his fathers gave him and his children.

Then, after recounting the deeds of the soldiers in the field, he expressed again that heartfelt conviction which molded his life as he paid tribute to the "great body of the people of Pennsylvania for their loyal support in storm and stress in the noble task of placing the American Government upon the enduring basis of justice and liberty."

One day I stood in the State museum beside the cases containing these battle-torn flags which Curtin gave to Pennsylvania's fighting men and which were brought back to him in victory.

Two girls of the type known to-day as "flappers" were inspecting the museum. When they came to the wall cases they turned away. "Let's go on; there's nothing but old flags here," said one to the other, and they passed, giggling, out of sight.

"Nothing but old flags," but, great God of hosts, they were baptized in the blood of Pennsylvania's bravest and best. Those flags had led the way for the Nation's life in a thousand charges and assaults. Ringed with battle smoke, they had waved defiance in countless death stands. Those who have eyes to see can vision in those old flags the symbols of the temple of the Republic, every stone cemented with the blood of brave men. Pity, indeed, the blind ones who see in them "nothing but old flags."

Governor Curtin was the incomparable leader of war activities. He was like that mighty Prometheus who brought fire from heaven that men of skill and industry might begin their long journey toward truth and power.

Around the balcony of the Congressional Library is the illuminated legend, "To the souls of fire I give more fire, and to those who are manful a might more than man's." The great heart of this man glowed with religious fire for the people's sovereignty. He cared not to be great but as he saved or served his State and Nation.

That fire never dimmed when darkness came. In the autumn of 1862 reverses to the Union armies plunged the North into depression. A violent campaign was waged against Lincoln. The slogan was, "End the war and make peace with the Confederacy." Copperheads wound their slimy way through every community. Men were discouraged from enlisting, and soldiers were encouraged to desert.

Like a storm shaking the mountains was the feeling of disaffection which swept the elections of 1862. New York defeated loyal Governor Morgan and elected Horatio Seymour, who opposed the war. New Jersey gave a copperhead candidate a majority of 15,000. Ohio defeated Lincoln's friends and gave practical indorsement to Vallandingham. Indiana cast 10,000 majority against the administration. Illinois sent nine antiwar Congressmen to Washington against four loyal supporters of her most illustrious son. The 10 great loyal States which had sent 78 Members to Congress to uphold Lincoln against 37 who opposed him now reversed their action and sent 67 to Washington to oppose Lincoln with only 57 to uphold his hands.

Armed foes had never dealt such blows to Honest Abe. It seemed the utter wreck and ruin of the Union in a cowardly suicide.

In this hour Governor Curtin stood like a lion at bay. With audacious courage he called a conference of loyal governors at Altoona. He knew the need of the Nation was morale more than matériel, cooperation more than cannon.

That conference at Altoona was one of the turning points of the war. Long years afterwards Curtin was denounced in Congress by a former rebel official as the man who turned the tide against the Confederacy by the results of the Altoona conference.

The address of the governors to Abraham Lincoln fired the hearts of every loyalist. They called for the summoning of another army of 100,000 men.

No matter what consequences are involved in our fidelity, this work of restoring the Republic, preserving the institutions of democratic liberty, and justifying the hopes and toils of our fathers shall not fail to be performed.

In ringing declarations these governors pledged themselves and their States to the Union—

until its cause shall conquer, until final victory shall perch upon its standard, or the rebel force shall yield a dutiful, rightful, and unconditional submission.

The results were epochal. The North was welded into a more perfect union; the opposition was silenced; the South was shown that it dealt with a united North, and that Abraham Lincoln spoke truly for the American people. The Altoona conference was an inestimable service performed by the fearless and undaunted war governor of Pennsylvania.

Shortly after this event came the gubernatorial campaign. Curtin, broken in health through his unending labors, refused to be a candidate. But the people would not permit the retirement of their champion. He was renominated by acclamation, accepted the task, and began a contest which was the gravest, most earnest, and intense in the history of the Keystone State.

Red fire and blaring bands and cheering marchers were not in evidence. Curtin talked to the people heart to heart. The vast army of Pennsylvania men fighting under the flag were disfranchised and that almost unanimous vote lost to Curtin. But these soldiers poured back their entreaties to every relative left behind. In the end Curtin was triumphantly reelected, and Pennsylvania once more declared her faith in her governor and her Government.

Curtin's triumph brought joy to Abraham Lincoln in the White House. He asked that Curtin go to New York to assist in the election of a loyal governor. A great mass meeting was held at Elmira and thousands of people crowded to hear the war governor of Pennsylvania. Curtin rose to his full height, and with face and heart aglow, thundered out:

I have lashed the Keystone to this rebel craft and by the Eternal I will fight her while I have a man or a dollar left.

The people heard and gloried in this one man's undaunted purpose. The Empire State was saved to the Union cause.

When the Confederate Army under Lee broke over the borders of Pennsylvania, destroying with fire and sword, Curtin traversed the State like a Peter the Hermit, preaching a new crusade.

Five counties of our State are invaded and in the hands of rebels—

He shouted to great crowds in the cities—

Five counties are overrun, and the soil of Pennsylvania is poisoned by the tread of rebel hordes. My God! can Pennsylvanians sleep when Pennsylvanians are driven from their homes? Let us sleep no more until not a rebel foot shall poison the soil of Pennsylvania.

It was his Herculean efforts which threw great numbers of new levies into Gettysburg and helped to win victory in the deciding battle of the war. And it was Curtin who shortly after the battle originated the movement for the preservation of that battle field as a sacred spot for all future time.

From 1860 to 1865 Governor Curtin was regarded by Abraham Lincoln as his surest and truest helper. Once in the midst of his loneliness and darkness he wistfully wrote, "I wish I could see Governor Curtin."

He had been in closest touch with Curtin during the pivotal campaign of 1860. On February 22, on his way to his inaugural at Washington, he stopped at Harrisburg and was introduced to the legislature.

On the outbreak of hostilities he had summoned Curtin to Washington, and all through the war there were telegrams, letters, and interviews between these two great leaders.

Once in 1864 Lincoln sent this letter to Curtin:

Herewith is the manuscript letter for the gentleman who sent me a cane through your hands. For the life of me I can not make out his name, and therefore I cut it from his letter and pasted it on, as you see. I suppose you will remember who he is, and I will thank you to forward him this letter. * * *

A. LINCOLN.

Through it all Curtin was putting Pennsylvania in the vanguard of war relief as well as war. Pennsylvania was the first State to send her humane representatives to every camp where her soldiers were to be found. She was the first to give them her own flag and charge them with the honor of the State. Pennsylvania was the first to furnish systematic aid to the sick and wounded. She was the first to send her agent to Washington as the advocate of the soldier in need. She was the first to enable every mourner to bring the dead back to Pennsylvania for burial, and she was the first to build institutions for the care of the orphaned ones whose natural protectors had died for the Old Flag.

It was on the bleak Thanksgiving Day of 1863 that Governor Curtin met on the street of Harrisburg two ill-clad children begging for bread. As they stretched out their little hands in entreaty they said, "Father was killed in the war." Curtin's hand went to his pocket, not his handkerchief to his eyes. Nor was he satisfied with that; he registered a vow that the orphans of Pennsylvania should be protected and cherished by the State. That very night he addressed a great gathering and asked, "Can the people of Pennsylvania feast this day when the children of her soldier dead beg bread from door to door?"

He began a battle for State appropriations for soldiers' orphan schools. There was opposition, and Curtin brought 345 little orphaned children before the legislature to plead their own cause. In the end he triumphed, and the sharpness of sorrow was eased for many thousands of mothers, while their little ones were given the training prohibited by poverty. The fathers had power to die that the truth might live. Governor Curtin made sure that their devotion did not mean misery and blight for their loved but helpless little ones.

All these great welfare and relief programs were Curtin's, but he never failed to give credit to the people who made them possible.

At a great banquet in his honor in Philadelphia after his second term expired he said:

When others doubted or hesitated Pennsylvania's faithful people were unfaltering in their fidelity. She was first in her offering as she was most heroic in her suffering.

Such a people must of necessity have had a great leader, and such a leader would have created a great people.

Finally the fratricidal strife ended and the conquered soldiers of Lee laid down their arms at Appomattox. The tumult and the shouting died, the captains and the soldiers departed, but Andrew Curtin did not forget those who brought the victory.

"Let us have peace," was his desire as it was of the great Union commander. He sought to bind up the hearts of war and restore North and South to union and fellowship. He was ready to—

Fold up the banners, smelt the guns,
Love rules, her gentler purpose runs;
A mighty mother turns in tears
The pages of her battle years,
Lamenting all her fallen sons.

Yet first in his heart always were the sons of Pennsylvania. Years after the war had ended Curtin was sent to Congress, elected as a Democrat by the people of the Center County district. The first bill he introduced was a grant of pension to Susan Bayard, widow of a Pennsylvania soldier. His second measure was to grant medals to Pennsylvania soldiers. Another was to establish a general policy of pensions to the widows and orphans of Union soldiers.

In the first session of the Forty-eighth Congress Curtin introduced 34 bills, and 32 of them dealt with the soldiers who saved the Union. Truly that old title of "The soldiers' friend" was well deserved!

As a Member of Congress Curtin was just what he had been as private citizen and as governor—a believer in equal rights for all and special privileges for none.

He feared nothing save that he might be unjust. On March 29, 1886, he introduced in Congress a resolution asking that a study be made into corporate activities and the relations between capital and labor.

In speaking on it in the House, he said:

My resolution proposes to investigate the cause of the present unrest among the people of this country. If corporations have violated the right of property or liberty belonging to the humblest man in this country, he has a right to redress which this august assembly should not deny. If the workingmen have been wronged let us understand it, and let us lay the strong hand of this Government upon those who have wronged them. Let us redress their wrongs and insure to them life, liberty, and the pursuit of happiness.

To him the welfare of the people was ever the supreme law, and in that cause he wielded as brave a blade as ever flashed defiance in the face of wrong. This brave spirit battled for the rights of man against greed and injustice, mourning with those who wept, scorning the bribes of mammon, and the threats of power. His was the joy of steering true toward that star he saw in his youth—the brotherhood of man.

Others wrote their creeds on parchment, Curtin wrote his in living hearts. Constitutions and charters and bills of rights are important but vastly more important are heroic men like Curtin who make their lives the embodiment of justice and service.

In every place he occupied—superintendent of public instruction, Governor of Pennsylvania, minister to Russia, member of the Pennsylvania Constitutional Convention, Congressman of the United States—Andrew Curtin stood four square for the freedom and justice symbolized by the Old Flag he loved so well. He never wore a party collar and never surrendered his own independence. Higher than office he put manhood and higher than political allegiance he put right and truth.

To the day of his death he kept the faith. Some cynic put into the mouth of one of his creations of fiction the saying, "Youth is a blunder, manhood a struggle, and old age is a regret."

It is a falsehood. By the life of Andrew Curtin we may know that youth is opportunity, manhood is achievement, and old age is a holy memory of deeds well done.

And when America can no longer produce men of the mold of Andrew Curtin she must die. There is in every State and nation varying strands. Base and unworthy are some of them, but there are also those of heroism and devotion to ideals.

Out of this dedication ceremony, through which Pennsylvania pays tribute to the memory of the man whose name is inseparably associated with her noblest records, comes a challenge to us all.

We must help break through the base Pennsylvania into the heroic Pennsylvania. Our fathers of the sixties, under the leadership of Andrew Curtin, were able to do it. In our own days it has again been accomplished in the iron test of war. Facing the threat of the Prussian power, which sought to conquer democracy by despotism, Pennsylvania proved her ability to recover heroism as her own.

The Keystone State furnished one-tenth of the mighty armies numbered against the Imperial German Government. She registered a total of 2,067,827 fighting men ready for service. She subscribed a total of $2,709,000,000 for Liberty and Victory bonds, which was $88,000,000 more than the total cost of the North of financing the entire four years of the Civil War.

In taxes Pennsylvania provided $500,000,000 more during 1917 and 1918 than the entire North paid in taxes during the Civil War.

Right nobly did the State of Curtin respond to the new test and trial. Over there the Twenty-eighth Division of Pennsylvania was chosen to meet the spearhead of the German attack upon Paris. So well did they meet the test that Pershing exclaimed, "These are not soldiers; these are iron men." The fame of the Iron Division of Pennsylvania will forever have a place in American history. But let us not forget that without Gettysburg and Antietam and Appomattox there would have been no Belleau Wood and Chateau Thierry and Argonne Forest.

Nor can we fold our hands in the victories won. Democracy is not an achievement, but an opportunity. The victory at Appomattox did not free men from greed, from hatred of one another, from injustice, from cruelty. To-day, as in Curtin's time, comes the all-important question, "Where shall be lodged the sovereign power in American Government?"

The idea of the South was that the States were sovereign rather than the Nation; that secession was a more important right than unity; that human slavery was more sacred than human liberty.

That heresy was shot to death in the stress and storm of civil strife. Still, in new guise and in new form, it comes again to menace the Republic. Disunion rises from the tomb; the slave whip echoes again in the land.

Great combinations of capital, working through political machines, are making desperate efforts to usurp sovereign power. They manipulate the ballot and rob the ballot box. They seat their creatures in places of power. They pour unholy privileges into the laps of the preying few.

The battle to-day, which, pray God, may be settled in peaceful revolution by honest ballots, is to make sure that governmental

power shall reside directly in the great body of the American people. The people must be made masters of constitutions, Congress, and courts.

Our instrument is forged. It is welded in the fires of 1776. It was tempered in the sixties and on Flanders fields. No call to war now, but a higher, better conflict to overcome social injustice and unholy greed for gain. Give us Curtin's hope and faith and burning endeavors for liberty and justice for every man and woman and little child and we shall throw off hate and disunion and base desire and build the Republic into the temple of justice. He and his generation made a political union. Ours is the more difficult task—to make a vital union out of men from every tribe and tongue and nation. Working in comradeship, we must organize the American community and overcome the divisions which threaten our Union.

Then Curtin's State will belong to the sons and daughters who have wrought out her character in the molding of their faithful hands. Her wealth will belong to those who have given her riches and greatness by steadfast service. Her flag will belong to those who count no sacrifice too great to make its trinity of color stand for truth, justice, and humanity.

This monument which we dedicate to-day to the name and fame of one of Pennsylvania's greatest sons marks a great upward movement of American people. It commemorates a milestone in our history. It is a finger upon the great dial of American civilization. The spirit and character of the man we honor will be cherished in the hearts of Americans until patriotism is dead.

We do well to erect this monument to the great war governor. Charles Sumner proposed in the United States Senate to strike from the battle flags of the Union all mementoes of our Civil War. He declared that if we could forget the conflict and erase all its remembrances, passion would be lessened and harmony restored to embittered sections.

But Sumner was wrong. Curtin was wiser in the wisdom of the heart. He knew the hallowing effect of great trials and sorrows upon a free people. He believed that harmony is based upon understanding and that it is the truth which makes us free, even the truth about "the old, unhappy, far-off things and battles long ago."

Never did he forget the crisis time and its lessons, and as he lay in his casket in his Bellefonte home October 7, 1894, there reposed upon the breast of the dead chieftain the shield of the Loyal Legion, and engraved upon it the motto, "Laws rule; arms defend."

It was the guiding star for his service spirit.

Laws rule! Obedience to the laws is the acid test of every citizen's patriotism. Arms defend! Only recreants will refuse to pledge life, fortune, and sacred honor to the declaration that men shall be free and equal in this new holy land.

Gathered here to pay tribute to the man more influential in the preservation of the Republic than any other, save Abraham Lincoln alone, we may gather inspiration for our own tasks to-day.

We, too, in less exalted stations, may have his consuming passion for freedom and his invincible faith in the people, in the Republic, and in God. We, too, may have implicit confidence that, though "injustice and falsehood seems to flourish, doomsday comes to them at last."

Here at this monument, erected on old Camp Curtin to the memory of Pennsylvania's mighty men of faith, the past speaks but the future calls. May the course of America in the years ahead be charted by those whose hearts beat in sympathy with the noble purposes of the gallant captain who steered his vessel through stormy seas into safe harbor. Then we may truly say:

Thou, too, sail on, O Ship of State,
Sail on, O Union, strong and great;
Humanity, with all its fears,
And all its hopes of other years,
Is hanging breathless on thy fate.
We know what Master laid thy keel,
What workmen forged each rib of steel,
What anvils rang, what hammers beat,
In what a forge and what a heat
Were shaped the anchors of thy hope.
Fear not the sudden sound and shock,
'Tis of the wave, and not the rock;
'Tis but the flapping of the sail,
And not the rent made by the gale.
In spite of rock and tempest's roar,
In spite of false lights on the shore,
Sail on, nor fear to breast the sea;
Our hopes, our hearts, are all with thee;
Our hopes, our hearts, our prayers, our tears,
Our faith triumphant o'er our fears,
Are all with thee, are all with thee.

Mr. ROSSDALE. Mr. Speaker, in view of the fact that Mr. ISAAC SIEGEL, my colleague in the House of Representatives, is the senior Republican Member of the House from Greater New York, I feel that I can not permit this occasion to pass without calling attention to the general feeling of the people of New York regarding his retirement. The following is from the Harlemite, and written by Mr. Edward Corsi, one of the best-known workers in behalf of Americanization in the United States:

THINGS TO THINK ABOUT.

(By Edward Corsi.)

The retirement of Representative ISAAC SIEGEL from public life is an event regretted by all citizens of East Harlem, regardless of party affiliations. We would not be fair to ourselves nor just to him if we were to allow this event to pass unnoticed.

We say in perfect confidence that ISAAC SIEGEL was the most competent Congressman that ever represented the twentieth district in the National House of Representatives. Not only was he the most competent but undoubtedly the most representative. He was one of the people, an East Harlemite whose long residence in this section made him thoroughly familiar with the hopes, aspirations, and needs of the 300,000 men and women who make up the district.

He was indeed a servant. He served conscientiously and honestly, always eager, always ready to interpret the wishes of the great mass of the people who had chosen him to speak for them in the councils of Government. His record for eight years speaks for itself. Men in all walks of life have congratulated him for his splendid work; the humblest in East Harlem have always spoken well of him, the proudest have regarded him a real man.

As Commissioner Largy has well said, "SIEGEL was like a doctor to the district, ready for consultation and for aid at all times."

But what is to be appreciated in this man's record is not so much his splendid congressional work, his earnest efforts to secure justice for all men and a square deal even for the humblest immigrant, but his deep attachment to his community, his love of the men and women around him, his eagerness to do his bit at all times, even at a sacrifice to himself.

There are politicians in this section who do much prattling about their interest in the public welfare. They are ever ready to lend their names to social and philanthropic work. But those who prove their interest with deeds, who give more than their names, are shamefully wanting. There are politicians who are doing much "for the people" in a social and charitable way, but not for the people of East Harlem.

SIEGEL's charity began at home. The "people" for him have been the people of East Harlem, his own people. The Institutional Synagogue is a monument to his public-spiritedness. His cooperation with the public agencies in this section was never wanting. He was always ready to give his time, his work, and even his limited funds in order that the generations in East Harlem might grow up in a better and kindlier world. East Harlem is thankful to this man. He deserves more than mere thanks.

The Harlemite regrets the loss of Representative ISAAC SIEGEL, but it finds gratification in the assurance that East Harlem will have in citizen ISAAC SIEGEL a most potent and willing force for the local public good.

Welcome home, ISAAC SIEGEL!

How the Republican delegation of the House of Representatives of the State of New York has considered my colleague, Representative SIEGEL, can best be told by what they wrote to the President. Among other things they said:

Mr. SIEGEL has served continuously as a Representative in Congress since the 4th of March, 1915. He has impressed us by his high character, great ability, and untiring energy. Mr. SIEGEL has practiced law actively for many years at the city of New York, in both State and Federal courts. He is, in our opinion, in every way worthy of holding the office of United States district judge, and we believe that his appointment would be a fitting reward of disinterested, fearless, and distinguished public service.

Of Mr. SIEGEL, Maj. Philip J. McCook, justice of the Supreme Court of the State of New York, said on November 10, 1921:

What I can say, however, and what I assert emphatically is that no one from this locality has been more useful to the people of New York at Washington, and especially during the critical period of the war, than Congressman SIEGEL. This, I think, will be found true wherever you look; but where I noticed it particularly was in the conduct of the draft. I believe I was the first person in this city consulted about the draft by Governor Whitman, and I was frequently in conference with General Crowder. Later I was director of the draft for New York City. Through all this time the services of Mr. SIEGEL were conspicuous. He encouraged the people. He backed the Government. He educated the immigrant. He assisted the boards and myself. It would be difficult to exaggerate what such intelligent, courageous, and patriotic conduct meant at such a time.

I remember well in May of 1917 General Crowder asked me whether registration for the draft would cause any rioting in New York. I assured him to the contrary and he was greatly relieved, saying, "New York is a cross section of the country with its mixed population; if there is no trouble in New York, there will be little or none anywhere." It was men like SIEGEL who prepared the public mind here and held it on a true course.

Two hundred and fifty-five lawyers, including more than 40 judges of the supreme court, asked for the appointment of Representative SIEGEL as judge of the United States district court for the southern district of New York.

It would fill volumes giving expression as to what they thought of him.

I feel that the general view of New York's public opinion as among lawyers is expressed by Nelson Cromwell, of the firm of Sullivan & Cromwell, which reads as follows:

SULLIVAN & CROMWELL,
New York, February 8, 1922.

Hon. H. M. DAUGHERTY,
Attorney General of the United States,
Washington, D. C.

DEAR SIR: Permit me to refer to the candidacy of Hon. ISAAC SIEGEL for appointment as United States district judge for this district—the southern district of New York.

I have known Congressman SIEGEL for several years and have observed his discharge of public duties. A branch of my professional practice has engaged me frequently in the district court for more than a score of years and I regard this court as a most practical and useful arm of jurisprudence in this great center of business life—in reorganizations of industrial, commercial, and railroad matters; in receiverships and bankruptcies; in the closer touch with the affairs of men. For this particular office I think any man merely learned in the law would be a misfit. My experience convinces me that the court is best served by a lawyer acquainted with general affairs of life, who has mingled closely with his fellows and comprehends their business and requirements; who understands the true relation of law to business; who has appreciation of the variety and development of the affairs of this great community.

These qualifications Congressman SIEGEL possesses and has exhibited in the years of his public service and fit him, together with his early training as a lawyer and his knowledge of Federal legislation and its spirit, to discharge judicial duties. Our best judges have been found this way, for modern life demands a different type of judge from that of a century ago.

I think Congressman SIEGEL has in him the making of an efficient judge, and I respectfully join in commending him to your consideration.

Very truly yours,

WM. NELSON CROMWELL.

Congressman SIEGEL's home-coming is fully described in the inclosed article, which appeared in the Harlemite, reading as follows:

EAST HARLEM REPUBLICANS PAY GLOWING TRIBUTE TO EX-CONGRESSMAN SIEGEL.

"Welcome home to our ISAAC SIEGEL."

Such was the slogan that welcomed ex-Congressman ISAAC SIEGEL home on Monday night when about 500 loyal Republicans packed the clubhouse at 153 East One hundred and sixteenth Street and cheered their Representative who had just completed eight years of splendid public work in Washington.

It was one of the warmest receptions ever tendered any public official in East Harlem, and it was, above all, spontaneous and sincere. There was not a man in that large audience who did not feel that the district and the organization had lost one of its ablest, finest, and most conscientious servants. Every remark, every reference to the ex-Congressman brought forth thunderous applause. The speakers who praised the man and his work were engaged in no ordinary political flattery. They spoke as they felt. And all felt that the going of SIEGEL is something to be deeply regretted.

Commissioner Charles B. Largy, the leader responsible for having given SIEGEL the opportunity to serve the district, was the speaker of the evening. "I wish I had the words to-night," he said, "to give praise to a man that is deserving. I think it was about this time 10 years ago that I was selected as leader by petition, my predecessor having resigned before the primaries. One of the first duties that faced me was the selection of a congressional nominee. When I called at headquarters two or three names were suggested to me. I said, 'Mr. Chairman, that practice must cease. I want to beat Tammany Hall.' They thought I was joking. Well, I might have been crazy to tell them that. But I knew what I was talking about. I had not said anything to SIEGEL, but I had watched him very carefully. I stood out for his nomination. It led to a fight. But finally I won, and SIEGEL was nominated. You know the consequences. The opposition resorted to everything to beat us, but we won.

"After his election he came to the clubhouse very often and made appointments like a doctor, giving advice and too often financial aid to those in need. His work at Washington was the best any man could give. His platform was strictly American. He was the best Congressman this district ever sent to Washington."

Major La Guardia, who succeeds SIEGEL at Washington, spoke of the splendid record established by him. "It is extremely difficult to take the place of ISAAC SIEGEL, who has such a splendid record and who is so well liked in Washington. I shall feel happy if I can only approach the enviable record he has set.

"It is fitting and proper that he should know of your satisfaction and appreciation of his services. After a man in public affairs leaves for private life he does not get many words of appreciation. You always hear of what a man has failed to do. Very seldom does he get a slap on the back and the words, 'Well done.' So this evening let your retiring Congressman know of your feeling toward him."

While Congressman La Guardia was speaking SIEGEL came into the hall. All stood up and three cheers for SIEGEL were ordered by La Guardia.

Commissioner Largy presented SIEGEL with a gold watch and chain, a gift of the club.

"This is, of course, a very eventful day and one of the saddest days," SIEGEL said; "but this is one of the happiest nights."

He accepted the gift of the club, and in thanking them told how his success was due to their cooperation and good will. He reviewed his work in the House, especially in immigration cases. Referring to his successor, he said: "I think our greatest accomplishment has been the election of a man whom I have stood for since 1918. I refer to my Congressman, friend of friends, Major La Guardia."

Others who spoke were ex-Congressman Thomas Ryan, Mrs. Laura Prisk, Jacob Arthur Adler, and Rabbi Herbert Goldstein, a lifelong friend of ex-Congressman SIEGEL.

A number of songs were sung by Bob Schafer, the Ritz Girls, and Master Seymour Reichstert, an immigrant lad, who sang in three languages.

RESOLUTION.

At a regular meeting of the Republican Club, eighteenth assembly district, Manhattan, N. Y., held on the 5th day of March, 1923, at its clubhouse, No. 153 East One hundred and sixteenth Street, Manhattan, N. Y., it was duly resolved as follows:

"Whereas the Hon. ISAAC SIEGEL has for four consecutive terms been elected Congressman from the twentieth congressional district, and his term of office expired on the 4th day of March, 1923, whence he returned to private life; and

"Whereas during his public career of eight years as Congressman he rendered unsurpassed service to the country and his constituency, and his excellent record as such known the country over; and

"Whereas as public official and as man his heart was ever ready to embrace and soothe the woes and tribulations of all who saw fit to seek his aid and comfort, and his devotion to mankind and humanity and full performance of his duties remains unexcelled; and

"Whereas the members of this organization, of which the said ISAAC SIEGEL has been a most loyal member for many years, being proud of him and desirous of expressing to him their sincere thanks for his undivided, untiring, and constant attention to them and their many friends:

"*Resolved*, That the members of the eighteenth assembly district north regret the loss of his services as Congressman to the Nation and the public at large, for whose interests and welfare he devoted all of his time during his tenure of office; while in public life ever ready to aid the weak and helpless, without regard to one's race, creed, or color; his one long and constant battle has been for humanity; no request or demand was ever ignored; modest and unassuming, he dispatched the duties of his high office with courtesy, promptness, and sincerity; he sacrificed all that justice and righteousness should be done; no poor or weak asked in vain; let glory reign with him to the end; let his remaining years be blessed by fruit borne as a result of his hard labor; whether in private or public life of him memory should be none other than of a relentless protector of life, liberty, and property; and

"Rejoice to remain his companions and wish him and his family a happy, prosperous, and long life."

On February 27, 1923, Congressman SIEGEL expressly stated in the House his views regarding our duty as citizens, and particularly in relation to the immigration question. I feel that I would not be doing justice to him unless I quoted part of what he said:

We have recently seen how Italy has quietly and peacefully handled a change in the manner of the conduct of its Government and how successful that change has been. As we have said, no one will assert that the Polish Government which has been recently set up is not endeavoring in every possible way to maintain its stability. The same is true of Czechoslovakia, where common sense and reason seem to be the guiding standard in all changes being done. Yet under the proposed legislation, if the census of 1890 is taken as the basis, these people will be discriminated against. If we look across the seas and see how things have been turned topsy-turvy by the miners and railroad men, it must set thinking men to slowly come to the belief that immigration from Great Britain is not in any respect better, as far as this country is concerned, than those who have come from the other countries and who have helped build our subways, construct our buildings, lay the railroad tracks, and in general do the rough work of the Nation.

NO ROOM HERE FOR THE FALSE PROPAGANDIST.

The person who attempts to raise religious and racial prejudice is unworthy of American citizenship. We are in grave danger of losing our sense of fair play and of treating men according to their real worth. So extensive has been the carrying on of false propaganda against the foreign born and immigration in general that hatred and prejudice against them seem, temporarily it is to be hoped, to have supplanted reason and common sense. What have been heretofore conceded and undisputed facts as to the foreign-born rendition of hard work in the building of roads, railroads, subways, and building construction are now being denied by writers in muckraking magazines, who seem bent to make money on sensationalism and forgetting the numerous warnings which have been sounded by every true American statesman for more than a hundred years, that he who creates racial and religious schisms in our midst is unworthy of American citizenship and false to its ideals and traditions.

No milder words can express the true characterization of such creatures. Not contented simply giving facts, they persist in drawing false conclusions even after having adopted false premises as a basis thereof. The same is true of lecturers and writers who are coming here to sow the seeds of racial and religious dissent and simultaneously mulcting Americans of their dollars.

The American people in their hearts are the fairest and most just on the face of the globe. How long will they permit this spirit of intolerance and falsehood to be preached? How long will they permit these poisoners of public opinion to reap the harvest of dollars from the sale of such publications and at the same time damaging the body politic? Every believer in the liberty and freedom of the press to have the right to publish the facts must give these matters grave concern and thought. To vilify human beings because they are immigrants or their descendants, without real reason, regardless of whether they are citizens or declarants, is a pastime which eventually must produce evil consequences. I make these remarks after having watched for more than eight years the growth of this un-American spirit in our midst. The real American realizes that patriotism does not consist merely in fighting for one's country on the battle field. It means more than that. It means the desire and the will to serve the Republic most faithfully at such a time as the Nation requires one's services.

The real patriot to-day is the man who gives the best that he possesses in behalf of the American people, whether in public service or in private life. To merely work and to expend one's earnings are actions that a machine could just as well perform. We are living in an age when the individual must not only serve himself but must make constant sacrifices for the common welfare. By that I mean that it is the duty of every citizen to participate in every movement which tends in any degree to improve the body politic and the general welfare of the community in which he resides.

Such a citizen when he simply votes does not consider that by such an act alone he has performed his full duty to his country. He takes an interest in the public-school system by actively participating in the discussion as to whether children get the most that can be secured from that particular educational curriculum. He makes every effort to improve conditions in his immediate neighborhood and urges the establishment of playgrounds for children. He occasionally finds time to visit public institutions for the purpose of learning how they are being managed and perhaps make some suggestions. He learns early in life that it is better to help develop and build up than to be one whose sole occupation in life is to criticize, destroy, and tear down. He loves his country and flag most who does all in his power to observe most faithfully both the moral and legal law in what he does. Now and then he finds time to visit the hospitals and write letters for such physically incapacitated patients who need such aid or render other assistance. He observes his own religious faith and respects the belief of his neighbors. He loves his home life and takes a deep interest in the education of his own children. No sacrifice is too great for him to make in their behalf. He learns early in life that public office is a public trust. He would rather give up his office than surrender his conscience. He puts truth above all things. He hates the hypocrite. He demands sincerity.

When his country calls for volunteers he is not a slacker. He is one who believes in deeds and not mere utterances. He observes the Ten Commandments and is not jealous of the prosperity of his neighbor, regardless of the place of his birth. Such is the real patriotic American citizen. Such is the type that we desire our citizens to be. Such a kind does not seek thanks and does not expect it. Such a type is rarely found mentioned in the newspapers or other public prints. He goes through life loyal, honest, energetic, faithful, devoted, and a constant inspiration to all who know him, and when he passes from this world to the far beyond, his friends who remain realize that a faithful servant of this world has met his reward.

Mr. RIDDICK. Mr. Speaker and gentlemen of the House, Abraham Lincoln, the first President elected by the Republican Party, stood foursquared for principles. In the Lincoln-Douglas debates in 1858, upon which hinged the election of a United States Senator from Illinois, we behold two types of men—the politician and the statesman, the former with his mind able to grasp only the immediate advantage, the latter with a vision that comprehends the eternal verities.

In that debate Douglas played to the galleries. He followed the line of least political resistance. He echoed the sentiment of the unthinking. He was a trimmer who sought votes for himself in the election immediately at hand rather than the solution of a great problem which involved the fundamentals of civilization and the perpetuity of free and popular institutions as embodied in the United States Government. Douglas was willing to and offered to compromise these institutions in order to gain a temporary victory at the polls.

Lincoln, the statesman, was a man of convictions and the courage to stand by them. He refused to take a compromising position upon the question of slavery, which was the issue of the hour. It was during these debates that he gave utterance to the statement that "this Nation can not exist half slave and half free." Lincoln took this uncompromising attitude against the advice of the small politicians of his day, who were afraid to stand up and fight for the right, afraid to take a defeat for the sake of advancing the cause of truth, just as the small politicians of to-day follow popular clamor and become slaves to it. Lincoln had his country in mind rather than his personal fortune; he was more concerned with saving his Nation and the priceless possession of free institutions than he was in saving himself from a political defeat. Because he took this uncompromising position he lost the election in 1858 and with it the Senatorship, but by so doing he gained the Presidency of the Nation two years later.

Let this not be construed to convey the insinuation that he lost the Senatorship because he saw by so doing he would gain the Presidency. Not so. He lost the Senatorship because he had the courage to put his destiny to the touch regardless of the consequences, and current historians of that period confirm the assertion that after the elections of 1858 it looked as though Lincoln had not only killed himself politically but had strangled the Republican Party in the day of its infancy.

But the American people fundamentally are sound. Fundamentally the American people, upon sober second thought, reach down and lay hold of the inexorable logic of a situation. This is proved by the fact that no mouthing demagogue has ever yet grasped the reins of power in this country and held them. This is proved by the fact that at every crisis in this country's history the rank and file of our citizens have arisen to the emergency and decided the issue from the standpoint of mental sobriety and intellectual integrity.

So it was at that critical period of American history. Lincoln led his party through the gates of defeat for principle's sake into the possession of the national administration within the short span of two years, an administration which was destined to play the most important part in preserving free institutions that any human agency has ever played since the hand of time began recording history.

The moral of this is obvious, and there is need of its application to the problems of to-day. All government is a compromise upon details, but no government can exist which compromises principles. Much less can a political party survive and have virility which compromises principles. The application may be carried to the individual. No political weather vane who whips and twists in response to the gusts of popular passion long remains in power. Let it be said, to the credit of the American people, that no such man has ever yet been lifted to the seats of the mighty. Men who tack and turn to every passing wind are sailboat politicians. They never dare venture far from shore. Shallow, they frequent shallow waters. Every storm sees them scudding for the protection of the shore. Such men never have been leaders in the Republican Party, and if the rank and file of the Republican Party remain true to the principles of their fathers such men never will attain leadership in the party. The leader of his party and of his countrymen is he who guides his course not by the weather vane but by the compass of principles which is always squared by the fixed star of truth and justice. He it is who is able to plow the deep, who rides the storm, and makes his port.

Let the Republican Party to-day cease dickering with the sailboat politicians, cease compromising with the political weather vanes, cease catering to passing whims. By so doing it may possibly—yes, quite probably—meet with a defeat. If so that defeat will prove the strength of the party, the righteousness of its principles, and the sanity of its policies, quite as truly as the defeat of Abraham Lincoln in 1858 proved his strength and his righteousness and resulted in his elevation to the presidency as the leader not only of his party associates but the leader of all patriots who had the integrity of the Union at heart. That party which can not stand defeat for the sake of a principle has not sufficient vitality to justify its existence.

Fundamentally the issue debated by Lincoln and Douglas was that of popular government by free agents. It was not the issue of the physical freedom of black human beings as is believed to-day by those who have an incomplete or a distorted knowledge of history. That problem did not arise until the war was half over and was incidental to the war. The emancipation proclamation was decided upon as a measure of war to weaken the South and hasten victory for the Union.

The issue upon which Lincoln took his uncompromising position was deeper than that. It involved the freedom of all labor and the right of all laborers to enjoy the product of their toil. By the same token it involved the right of free capital and the right of the man who invests his capital to enjoy a profit therefrom. Underlying the issue was the centuries-old struggle between an oligarchy or aristocracy and a democracy, between a narrow, arrogant, crushing paternalism and a broad, inspiriting government which encourages the individual to do his best, guaranteeing him the right to profit by his initiative and industry.

Douglas pleaded for a compromise with the slave-holding oligarchy, for a compromise with a system that is the antithesis of a free, progressive government. Lincoln held firmly to the elementary principles of freedom and progress which guarantee the individual not only his freedom as a citizen but freedom in the disposition of his muscle, his brain, his time, his talents, his energy; freedom to reap if he sows, freedom to profit if he invests.

That is largely the issue to-day. The paternalistic ideas which are being advanced to-day are but a variation of the ideas which Lincoln and the Republican Party combated and successfully withstood. Without intending to be partisan it nevertheless must be recorded that paternalism finds a welcome in the Democratic Party. Democrats talk about individualism but practice paternalism. Bryan's free-silver theory was the essence of paternalism. The theory that Government fiat could create and maintain values, the free-silver idea of Bryan and the Democratic Party nearly 30 years ago, was the advance agent of the Lenin-Trotski system of finance.

Russia to-day is giving the world an example of paternalistic government with its system of fiat money. Russia is the promised land of the paternalistic, the elysium of those who believe in government ownership and control; who believe that capital and capitalists are a menace; that private enterprises should be operated on the shares; that every corporation should be regulated and bedeviled and sandbagged; that every man with a dollar should whack up with the one who has none; where the thrifty are punished by having that which they have saved taken from them and given to the shiftless and the improvident.

Russia to-day is the home of the demagogue. It is ruled by the Bolsheviki, which is a Russian term for the "rule of the many." Russian communities are ruled by committees composed of "poor peasants"; these committees under the Bolshevik régime being composed wholly of the shiftless, the improvident, the wastrel, the vodka drinker. No man who owned property of any kind, even land, or who conducted a business, was permitted to sit upon these committees of "poor peasants" whom the Bolshevik régime created and set up as the ruling power in every community.

The Bolshevik régime in Russia began with the same agitation that is conspicuous in so many quarters in this country—agitation for the regulation of public and quasi public utilities, government control of the railroads and the mines and the key industries, the imposition of exacting conditions upon those who had capital invested and the restriction of their right to profit by their investments; then quickly followed the seizure of all private industry and business and the confiscation of all private property of all kinds.

The leaders of this movement obtained their strength and power from the support of the masses who were led to believe that only the property of the rich and the nobility would be confiscated. But true to human nature and true to human history, once the system of confiscation was introduced and firmly intrenched, it did not end with the wealthy and the nobility. It wound up with the confiscation of the land and the cattle and the grain of the peasants, the very ones who had set up this hideous form of government.

As a result, Russia to-day presents a scene of desolation and misery unparalleled in the annals of history. Thrift has been throttled. Individual initiative has been brutally murdered. Incentive to accumulate has been destroyed, root and branch. The result of this has not only been the absolute, utter ruin of the transportation system, the mining industry, all the industrial fabric of Russia, but the certain knowledge that he may not be permitted to enjoy the fruits of his own toil has resulted in the peasant abandoning the arts of husbandry until the very soil has lost its ability to produce and the great fertile lands of that country have reverted to waste.

Let those of America who are now giving a willing ear to the vaporings of like demagogues, who paint for them a picture of the glories of government control and ownership, take warning while yet there is time. No demagogue has ever yet lived who discovered a way to compel labor to work against its will to its own disadvantage; neither has any demagogue discovered a way to compel capital to work against its will to its disadvantage.

Beware of the demagogue, whether he be a labor demagogue or "dirt farmer" demagogue. The labor demagogue never works, he never strikes. He sits in luxuriously furnished offices and draws an annual salary greater than that paid the public officials of our Federal Government, greater than that paid the officials of the majority of private corporations. He draws this salary not for the purpose of promoting the cause of the laborer but for the purpose of creating discontent and fomenting discord in the labor world.

It is said that in China physicians are paid a regular stipend for keeping their patients well. The moment the patient becomes sick the pay of the physician stops. If that rule were applied to the labor demagogue there would be fewer strikes. If the labor demagogue who is responsible for the eruptions in the industrial world were compelled to take his place in the line of men whom he has succeeded in getting to strike and take his turn in drawing his meager weekly strike benefits, we would soon have an era of industrial peace in America the like unto which has never been witnessed since the angels sang together at the dawn of creation.

The labor demagogue who prates about "horny-handed sons of toil" exhibits no callous in his palms. He sees to it that when his dupes go with empty bellies to "advance the cause," he continues to draw his fat salary which enables him to shove his feet under the mahogany and break bread three times a day.

No less dangerous is the "dirt-farmer" demagogue. The "dirt-farmer" demagogue is not peculiar to this day and generation. Within the memory of men now living and in public life we have had demagogues elected to the Congress whose main, if not sole, bid for popularity was their claim they wore no socks. Thank God, we have at least made progress! Even those who stoop the lowest to conquer to-day have advanced beyond that stage where they believe the garbing of the nether extremities in proper habiliments is no longer a practice confined to those who have dark dealings with the moneyed powers.

The demagogue who hurls imprecations and breathes destruction upon those who have by thrift accumulated has not been a strange sight since the days of "Bloody Bridle" Waite. The demagogue who demonstrates his love for the common people by scorning the raiment of the well dressed has not been a novel sight to the American public since the days of "Honest Bill" Sulzer, who, when elected governor of the great State of New York, openly showed his scorn for frock coats and plug hats as the appurtenances of the devil by appearing in the inaugural procession in slovenly garb. He was not in office six months until he was exposed, impeached, and kicked from office.

Beware the demagogue who seeks to prove he is a "dirt farmer" by wearing a costume of the kind attributed in the funny papers and on the vaudeville stage to the rural "jay." Such a politician is a travesty upon the real farmers of America, who, as a class, are better dressed, better fed, better read, and more widely traveled within the confines of the United States than any other class of American citizens. The American farmer is not a "rube" nor a yokel, nor does he regard it as being a tribute to him for anyone who pretends to represent him to act a "rube" and a yokel. It is no more a sign of devotion to the welfare of agriculture for a man in public life to ape the stage caricature of a farmer than it is an exhibition of reverence for him to spit upon the matting in the church aisle, or an acknowledgment of the value of sanitation to pick his teeth with a jackknife.

What did any of these labor and "dirt farmer" demagogues ever do for the farmer and the wage earner? What law did they ever place upon the statute books that worked to the uplifting of either class or to any other class of Americans? All the demagogues collectively, from the days of "Sockless" Simpson and "Pitchfork Ben" Tillman down to the present time, have never written upon the pages of legislation a single law that was of benefit to anyone.

The laws that developed the great Mississippi Valley and extended aid to the farmers of that section of the country were placed upon the statute books by one or the other of the great political parties, largely by the Republican Party, because during all the years that the development of the West and Middle West was in progress the Republican Party was in power in either one or both branches of Congress.

The homestead acts, the reclamation and irrigation legislation, forestry legislation, the laws opening public lands to settlers, the laws giving rights and privileges to live-stock interests who wished land for grazing, the law creating the Department of Agriculture, as well as the laws which created from time to time the various bureaus of that department, are all the product of the Republican Party, by men who were 100 per cent Republican, holding their commission from the Republican Party, responsible for their actions to the Republican Party and to the country.

These laws were placed upon the statute books and operated to the development of the great agricultural heart of the United States before ever a farm "bloc" was heard of, before ever a lot of self-constituted, self-appointed, high-salaried lobbyists stationed themselves in Washington to prey upon the farmers upon one hand and attempt to browbeat and intimidate the National Congress upon the other hand.

What is true of legislation for the farmer is true of legislation for the wage earner. This Nation began its tremendous industry development after the Civil War, during the period when the Republican Party was in control of all branches of the Government. The policies of the Republican Party and the legislation it enacted were of such a character that the standard of living conditions, the level of wages, and the general welfare of wage earners were all raised to such a point in the United States that this country attracted from every other industrial nation of the world millions of immigrants.

The beneficial labor laws placed upon our Federal statute books are almost wholly the product of Republican Congresses elected in spite of the opposition of the majority of so-called labor leaders, such as Samuel Gompers. The labor legislation upon the statute books of the Northern States is incomparably superior to that upon the statutes of Southern States which are solidly Democratic. Practically every bit of legislation, either Federal or State, enacted in behalf of women wage earners and enacted for the protection of the children of the country has been written by a Republican Congress or by a Republican legislature.

There is no influence in America to-day that is more dangerous and more insidious than the influence exerted by those organizations which purport to represent the farmer and the laboring men, but which in point of fact represent nothing except the wishes of their highly paid executives. Executives of such organizations as the American Federation of Labor, on the one hand, and the American Farm Bureau Federation, on the other, have advocated legislation during the life of this Congress which was not to the interest of either the farmer or the laborer. They have advocated legislation in the name of the farmer and the laborer, upon which the rank and file of their organizations had been given no opportunity of voicing an expression and to which a great number of the rank and file of their organization expressed violent opposition. The executives of these organizations have unlimited power voted to them and vested in them at their annual conventions, which they forthwith abuse by using it to blackjack Members of Congress into acquiescence with their personal wishes regarding public measures.

To be more specific: Where does Samuel Gompers, president of the American Federation of Labor, and his immediate clique in charge of that organization obtain his authority to speak in the name of the wage earners of the country against prohibition? Where does he obtain his authority from the rank and file of wage earners to denounce the courts of the land? Where does he obtain his authority from the rank and file of the wage earners to condone red-handed massacre, provided those who commit it hold a union card? Yet he and his clique have done

this repeatedly, claiming they were voicing the opinions of the wage earners of America.

Or where does Gray Silver, who signs himself "legislative representative" of the American Farm Bureau Federation, obtain his right to espouse the giving away of the greatest water-power rights in America to the richest man in America? Where do Gray Silver and the other executives of the American Farm Bureau Federation, as well as the trade organ of that body, obtain their authority to speak on behalf of the farmers of the country when they join hands with the Democrats, the importers, and the notorious free-trade lobby interests at Washington to attack the principle of protective tariff, to publish and disseminate false and vicious propaganda against the protective tariff law now on the books?

According to newspaper accounts, which have never been contradicted, Gray Silver informed nearly 2,000 South Dakota farmers that "Congress is besieged with paid lobbyists for the sole purpose of killing legislation on the Muscle Shoals proposition." According to the report, "Mr. Silver bitterly denounced the actions of Members of Congress, who 'no longer hear the voice of the people and whose letters to their constituents remarkably resemble the propaganda of certain big interests.'" The members of the United States Senate Committee on Agriculture who filed a report denouncing as a fake and an outrage the Henry Ford Muscle Shoals proposition were Senators NORRIS, of Nebraska; PAGE, of Vermont; MCNARY, of Oregon; KEYES, of New Hampshire; GOODING, of Idaho; NORBECK, of South Dakota; HARRELD, of Oklahoma; MCKINLEY, of Illinois; and KENDRICK, of Wyoming. Which one of these did Mr. Silver have in mind when he accused the opposition to the Ford plan of being backed by the interests of Wall Street?

How many farmers of South Dakota think their Senator who signed this report is being handled by the big eastern interests and that his opposition to the Muscle Shoals grab is dictated by any unworthy motive? How many farmers of the Middle West and Mountain States think that big eastern interests are handling such Senators as those who signed this report against the Henry Ford grab of Muscle Shoals?

Who are the paid lobbyists appearing in Washington in connection with Muscle Shoals? The Members of this Congress could throw a great deal of illumination upon that subject were there an investigation made. It is a matter of common talk as to which side in this fight is spending tremendous sums of money and is maintaining a corps of lobbyists in and around the Halls of Congress, who infest the offices of Congressmen and bombard them with literature and threaten them with political extinction if they do not vote thus and so. Members of Congress could give a great deal of information regarding which side of the fight—the Henry Ford side or the opposition—has expended great sums of money in sending plate matter to country newspapers which deliberately falsifies figures, deliberately sets forth conditions which do not exist, and represents Mr. Ford as making guaranties which he and his official representatives flat-footedly refused to make before the congressional committees holding hearings upon the subject.

Unfair and untruthful although the misrepresentations of Mr. Silver and his associates are upon this subject and upon the subject of the tariff, still more despicable are their cowardly innuendoes that all men who oppose them are actuated by base motives and are controlled by sinister influences of great wealth. There is no crime in having great wealth; but if there were, as the innuendoes of this organization would have it appear, then Mr. Silver and his crowd should immediately sever their relations with Henry Ford, who is to-day acknowledged the richest man in America, who is to-day reaching out and getting control of more sources of wealth than any other man or any other set of men, who to-day is financing, directly or indirectly, more propaganda than any other man or set of men in the United States. If it be a crime to be associated with men identified with Wall Street, then Mr. Silver and his crowd should immediately sever their relations with Mr. Bernard Baruch, whose intimacy with Wall Street is only exceeded by his intimacy with the executives of the American Farm Bureau Federation executive office and his intimacy with the inner circle of the Democratic Party.

The same moral can be applied to those who sit in high places in labor circles. They are continually appealing to the passions and prejudices of the ignorant and the thoughtless by denouncing capital and capitalists. Yet these men themselves are capitalists. They draw salaries in excess of the salaries of any public official of the United States with the exception of the President. Their organizations own not only real estate and property worth millions but they hold securities worth millions.

It was disclosed during the miners' strike last summer that William Green, secretary and treasurer of the United Mine Workers' Union, had borrowed $200,000 of a Wall Street bank with which to help finance the miners' strike. The bank in question stated they had loaned the money as a business proposition, the loan being amply secured by gilt-edge securities. It also stated that it had loaned money to other labor organizations upon gilt-edge securities.

At the same time W. D. Mahon, president of the Amalgamated Association of Street Railway Workers, announced that in 1917 his organization had borrowed money from Boston banks with which to finance the New York street railway strike. He was quoted in the newspapers at that time to the effect that his organization owned over $5,000,000 of gilt-edge securities. At the same time it was announced that the Illinois miners' union, through Frank Farrington, had borrowed $150,000 from the Springfield, Ill., bank upon gilt-edge security.

One of the biggest banking and commercial institutions in the United States is the Brotherhood of Locomotive Engineers. They own one of the largest office buildings in Cleveland, Ohio. They control the Brotherhood Insurance Co. with $180,000,000 in policies. They own and control the Brotherhood's bank in Cleveland, Ohio, the Brotherhood Investment Co., a $10,000,000 corporation; the People's Cooperative Bank, of Hammond, Ind.; the Transportation Brotherhood's Cooperative Bank, of Minneapolis; the San Bernardino Valley Bank and two branches, in California; the Federated Banking & Trust Co., at Birmingham, Ala. Still more recently they have bought into the Empire Trust Co., of New York City, and Warren S. Stone, grand chief of the Brotherhood of Locomotive Engineers, was elected a director of that trust company and will sit side by side with Charles M. Schwab, T. Coleman du Pont, and other well-known figures in New York financial circles on the Empire Bank Trust Co. directorate.

Every honest man, whether he be a laboring man, a farmer, or a business man, will rejoice that this great labor organization has prospered and has expressed its faith in the institutions of our country. But what a rebuke do these facts administer to the demagogues in the labor world whose only hope of maintaining their high-salaried positions is in successfully keeping alive the flames of class prejudice and hatred and who are constantly preaching that legislative and judicial bodies which seek to protect the rights of property are enemies of the common people.

What protection will be left the labor organizations possessing property if the courts are stricken down, as labor demagogues advocate? What protection will be left the individual who accumulates property of any kind if the courts are stricken down? What is to become of property rights and investments if, due to radical agitation, there is enacted legislation of a confiscatory character? What is to happen to those who wish to save and invest if the radicals seize control of the Halls of Congress and enact laws which, due to their paternalistic character, lay upon the shoulders of the people tax burdens which amount to confiscation?

These are things which concern the laboring man who is trying to acquire for himself a home far more than they concern the man of immense wealth who can take his wealth and flee the country, if necessary, just as has been done in Russia and is being done in Germany and Poland and other European countries where taxes have become confiscatory. These are things which concern the farmer who is endeavoring to "pay out" on a piece of land far more than they concern the railroad magnate or the banker who can turn their wealth into intangible property and thereby save it from the back-breaking burdens of taxation.

Reverting to the Henry Ford Muscle Shoals proposition, which finds its greatest lobbyist in the Washington representatives of the American Farm Bureau Federation, the fact that Henry Ford is trying to get possession of this immense source of wealth is not in itself an argument against his proposition. But his proposition is entitled to no more or no less consideration than if it were made by Mr. Rockefeller or J. P. Morgan, or the head of one of our great packing plants, or the president of one of our great railroads. Mr. Ford to-day is the wealthiest individual in America. He has a bank balance of over $80,000,000, according to financial reports. He is getting control of key industries, is building up transportation systems, is acquiring power sites in various sections of the country. This in itself is not deplorable, but it must be taken into consideration in connection with his desire to lay his hands upon Muscle Shoals.

The argument that Mr. Ford is a public benefactor is not borne out by the facts. Mr. Ford's proposition must be weighed upon its merits and not upon the fictitious and mythical personality with which he has been endowed by his admirers and his paid representatives. Mr. Ford is not a public benefactor. In time of war Mr. Ford was quite as great a profiteer as any

other war profiteer. He made tens of millions of dollars out of war contracts, although his paid propaganda circulated the story that he returned to the Government all the profits he made from war contracts. The records of both the Treasury Department and the War Department show this statement to be absolutely false. Not only did Mr. Ford not return one penny of the tens of millions he made on a cost-plus basis during the war, but he even went so far as to file a claim against the Government for damages due him because of expenditures he made to fill contracts which were canceled. These claims were allowed the same as they were allowed to other manufacturers, and he pocketed the millions he acquired in this manner.

Mr. Ford is not a philanthropist. Mr. Ford is out to make money. Mr. Ford's Muscle Shoals proposition does not guarantee to make one pound of fertilizer at any price. Mr. Ford's personal representative, Mr. Mayo, in testifying before the House Committee on Military Affairs, frankly admitted, in response to the direct question, that in event Mr. Ford found he could not make fertilizer at Muscle Shoals at a profit, he would not make any and that there would be no court in the land that could compel him to do business without a profit. The best that Mr. Ford promises in event he obtains this, the greatest piece of property in America, if not in the world, is that he will make fertilizer provided he can do so at a profit of 8 per cent.

The farmers of this country had their experience during the war with those classes of dollar-a-year men and other alleged benefactors who did business on a cost-plus 8 per cent basis. The real farmers of the country should go slow before they take the word of two or three high-salaried lobbyists in Washington, having expensive suites in expensive office buildings, before they take the word of such men as signed the Senate Agricultural Committee's report denouncing Ford's proposition as impossible and indefensible.

Abraham Lincoln was a Republican. He was a party man. He believed in party government and party responsibility. He worked with and within the party organization to save the Union. There is a timely moral in this for the present generation. The necessity of party loyalty and party work can not be overestimated at this period in our national affairs. By virtue of its organization and institutions this is a Government of parties which receive their commissions from the people, are held responsible by the people for their conduct of public affairs, and are compelled to make an accounting to the people at the elections. Those who would destroy party loyalty and break down party solidarity are seeking to destroy the only system of responsible popular government we have. They are seeking to replace responsible party government with irresponsible government by cliques, factions, blocs, groups, and individuals. If a party's ability to carry out its policies be destroyed by breaking down its solidarity it is at the same time and by the same process absolved from any blame for whatever may be done by those cliques which seize control of public affairs but which can not be held for an accounting to the whole people.

It is not a sign of political independence and mental integrity to break down a party organization. It is rather an exhibition of a desire to evade responsibility and to pursue a course dictated by passing whims rather than one by the fundamentals of political economy. Those who seek to disorganize within the party invariably, if put in control of public administration, disorganize the government. Those who object to party organization and party discipline are possessed with a spirit of rebellion against all organized government, and of disciplinary influences which are the foundation of orderly institutions.

It has become the fad among certain classes to-day to decry political parties, to speak of party organizations as though they were corrupt and exercised a corrupting influence upon the Government. This is a gross libel, uttered either by those who are ignorant or by those seeking to destroy party influence in the Government because they find it stands between them and their selfish or corrupt desires.

It is charged that party organizations are controlled by predatory interests and through the machinery of party organizations invisible and sinister influences secure control of public affairs. Instead of this being true, the contrary is true. A great party placed in control of the Government, held responsible to the public for the policies of public administration and for the legislative enactments during the period of its ascendancy, can not evade that responsibility or avoid an accounting at the next general election. If those policies and enactments have been in the interests of sinister influences rather than the interest of the people, the party is punished and hurled from power.

But where there is no party solidarity, where men charged with administration of public affairs and responsible for legislation owe no allegiance to party, refuse to submit to party discipline, defy party organization and act upon their own responsibility, either individually or in cliques and groups, there is no way for the country as a whole to hold them to an accounting. Instead of party government promoting special interests, party "blocs" and groups promote special interests. They are organized for that very purpose.

One evil leads to another. Special interests, seeing they can accomplish their ends through the formation of "blocs" where they can not through a great party, encourage such formation. Not only that, but it is well within the bounds of conservative statement that special interests, seeking legislation inimical to public welfare, often find in a "bloc" or group already formed a very ready and willing medium, provided it is sufficiently financed. And so it has come about in the present Congress that representatives of these groups, professing to speak for the people, are, in reality, the spokesmen of influences which would not bear the scrutiny of too close an investigation. So it has come to pass that representatives of organizations which pretend to voice the sentiment of great classes of citizens are using their power and influence to voice the wishes of a few designing interests with whom they have perfected amicable arrangements.

The breakdown of party government may largely be attributed to the primary system. A hue and a cry was raised against the so-called party boss. It became quite fashionable to join the clamor that people should vote for the man instead of the party. Through the press and from the platform and even the pulpit came the advice that if party lines could be broken down something constructive might be accomplished. Some of this advice was delivered in sincerity but in ignorance. Some of it was delivered by those who were fully aware that, because of their lack of integrity or intellectual poverty, they had no hope of receiving honors at the hand of any responsible, self-respecting party organization. No greater hoax was ever perpetrated upon the American people than that of wiping out the convention system and substituting therefor the primary system in the belief that thereby the processes of government would be purified, the character of the personnel of public officials elevated, and the quality of legislation improved.

Lincoln was a product of the party convention system. Had there been in vogue during his time the state-wide direct primaries where any demagogue could mount the stump and get away with any accusation, the war would have been lost, the Union would have been dissolved; this the greatest experiment in popular government would have been written down as a failure, and the hopes of mankind for the establishment and maintenance of free institutions resting upon the consent of the governed would have been postponed indefinitely.

This is not supposition. It is a matter of record that in the midst of the Civil War the demagogue, playing the part of treason, did lift his voice and secured the ear of the people. Had we been cursed then, as we are to-day, with the "bloc" and the group systems, obtaining their commission from a misinformed constituency often lashed to a passion in the heat of a campaign, Clement L. Vallandigham would have carried Ohio and been a hero of a political faction rather than the traitor that he was. It is a matter of record that in the neighboring State of Indiana a bloc controlled by the infamous and treasonable organization known as the Knights of Golden Circle elected a secession legislature, which sought to tie the hands of Oliver P. Morton, Indiana's war governor, the right hand of Abraham Lincoln, by refusing to appropriate money which Morton needed to help finance the defense of the State and of the Union. But in both cases the power, the solidarity, the virility, the red-blooded patriotism and loyalty of the Republican Party's machinery stood back of the men who were fighting to preserve this Union.

Abraham Lincoln was not the only product of the party convention. Men who for two generations following the Civil War formulated the policies of this Government and guided the destinies of this Nation were products of the party convention system. Grant, Garfield, Harrison, Blaine, Ingalls, Hoar, Reed, Allison, Edmunds, Logan, Sherman, Windham, Morgan, and so on through a galaxy of Republican leaders, while on the Democratic side such outstanding men as Hendricks, Thurman, Carlisle, and Vilas, all were the products of the convention system. All these men assumed the duties of public office with the knowledge that if they proved recreant to their trust not only they, as individuals, but their party with them, would be retired from public control in disgrace. In no nation, either ancient, medieval, or modern, has there ever been a group of statesmen who served the public more faithfully, who were

more zealous in their work, or who wrought so largely and so effectively as the group of American statesmen during the generation following the Civil War, a group which was the direct and sole product of party government, selected by the party convention.

But the people follow strange gods. Party convention was thrown into the discard in order that the electorate might vote for the man instead of the party. The public now witnesses the fruits of that system. Instead of perfecting popular government it is destroying popular government. Instead of bringing about a more direct responsibility to the people upon the part of public men, it has lessened that responsibility and made it not only possible but easy for men in public office to evade party responsibility for whatever happens.

Instead of purifying public affairs the party primary has made them more corrupt. The party leaders under the old system sought men with mental attainments and high character to carry the party banner and lead in the fight on the hustings. It did not matter to the party organization or to the leaders whether such men were wealthy in a material way or not. A poor man, if he possessed brains and character, could hope and expect party preferment. To-day, under the party primary, the poor man is barred. No one without a bank roll can aspire to nomination for office with any hope of success. Under the old party convention system the rank and file in the party worked for the party success because they believed in party principles and counted it an honor to give freely of their time and energy to bring victory to their party banner. Since the primary has been in vogue no man can be secured to work for the party or party candidates unless he is paid. The primary system has made it necessary for individuals seeking nomination to raise and expend great sums of money.

There is no exception to this rule. There are a few demagogues who have secured party nominations who claim their campaign expenses amounted to but a few hundred dollars. Such men are guilty of deliberate deception. One such man, who has gained considerable prominence throughout the country by reason of his radical ideas and bizarre interviews and speeches, boasted he had successfully defeated a large field of candidates in the party primary with the expenditure of only a few hundred dollars. But it later developed that a great radical organization with headquarters in a magnificent office building in the city of Washington possessed of a two-million-dollar campaign fund had sent into this man's State two score or more of paid organizers and speakers and had flooded his State with literature, all in order to nominate him because it was understood between him and them that he was to be their spokesman in event of his success. It later came out that another organization, having for its aims special legislation, had gone to his aid with organizers and speakers and literature.

This is the very essence of invisible government. This is the most corrupting influence that could possibly be at work. It should be kept always in mind that special interest is special interest, no matter what its name, and it is as corrupt and as corrupting for a radical organization professing to be for the people to buy the nomination of a candidate for public office as it is for a railroad to do so. It should be always kept in mind that the man who rises upon the floor of the American Congress with the label of some special organization of that character upon him is as venal as the one who rises upon the floor with the label of some private corporation stamped upon him. Neither represents the public. Neither is fit to occupy a seat in the halls of legislation.

The direct primary and the "bloc" system of Government is breeding a generation of political hypocrites. Men are using the party label to secure for themselves a nomination and election only to repudiate the party, its principles, its policies, and its leaders once they have secured their seat in the Halls of Congress or in the legislative halls in our several States. They use the party name as a baggage check upon which to ride to Washington. There are men in both branches of Congress to-day who were nominated in Republican primaries and were elected because they had their name on the ticket under the eagle, the emblem of the Republican Party, but who since they were elected have opposed the Republican Party at every step, have spoken and voted against every party policy, have denounced the fundamental principles of the party, and have boasted of their infidelity and treachery as though it were a virtue rather than a shame. Were such political actions indictable, these men could be convicted of perjury, forgery, and the securing of places and power under false pretenses.

These men in their egotism boast that their success is due to their popularity. This boast is given the lie by the fact that not one of them dare run in his State for election as an independent, his name on the ticket in a column not headed by the party emblem. It is not a violent assumption to arrive at the conclusion that a man who will resort to such deception to secure a seat in the halls of legislation will not hesitate to use the same methods after he has secured his seat; that an individual who will thus betray his constituency in order to gain for himself a position of influence and satisfy personal ambition will not hesitate after he has secured the position to betray the people again if by so doing he can gratify some other personal ambition. This is what the American people are reaping as a result of the primaries and the "bloc" system. The only cure for it is a return to old-fashioned party government. It was good enough to save the Union once, and it will be needed if we are to save free institutions again. Unless we do return to the system of party government there are two alternatives ahead of this country—one-man rule, which most likely will go to the individual who proves the most crafty and unscrupulous; or mob rule, with all that implies.

The direct primary has opened the way to the vicious and unscrupulous. It has enabled the partisans of one party to participate in the primaries of other parties to an extent that nullifies the will of the rank and file of the party holding the primary.

No greater crime against party government was ever perpetrated than that which marked the Michigan primaries of 1918. Because of the primary laws in that State it was possible for Mr. Ford to run as a candidate for nomination for the United States Senate on both the Democratic and Republican tickets. Now, it is obvious that a man can not be both a Democrat and a Republican. It is equally obvious that a man who places his name on both tickets is guilty of the basest sort of deception and is on the face of it attempting to trick the people. In this plot the leaders of the Democratic Party in Michigan, the leaders of the Democratic national organization, and even the high Democratic officials who directed the affairs of the Government participated. It was a deliberate, well-planned scheme for the Democratic Party to rape the Republican primaries in Michigan. This sort of a thing was absolutely impossible in the party convention. In view of this it is a travesty to speak about primaries being the medium through which the people can express their wish and obtain their free choice.

Or, take another instance: The candidate for nomination for a high office in a Middle Western State is a publisher and he owns a string of daily, weekly, and monthly publications. Through these he reaches more people of his State than any other one man. All of the political propaganda which he places in his publications to boost himself does not cost him a cent. In a campaign in his own State he refused to carry the advertisement of his opponent. This man is one of the most vociferous exponents of the direct primary. He is also loud in his denunciation of those who spend considerable sums of money to win a nomination or an election. Yet in his State if a man wishes to oppose him in the direct primary he must either suffer the fatal handicap of having no publicity as against the tremendous propaganda in the papers owned by the gentleman in question, or he must expend a tremendous sum of money in other papers to offset the self-advertising publisher candidate.

This same situation exists, with variations, in other States. It is breaking down popular government. It is muzzling free speech and making a farce of untrammeled expression of the public. None of this could happen under the party convention system.

The menace does not stop here. There is in existence a self-constituted organization known by the high-sounding title of Conference for Progressive Political Action. It has elaborate offices, occupying three or four floors in a marble office sky scraper in the city of Washington. It has a publicity department which employs more people and expends more money than all the old party organizations added together and multiplied. It has a staff of highly paid traveling organizers. It has a weekly publication which it furnishes to hundreds of thousands of individuals. Its head is a Socialist who has consorted with the most radical elements in the United States and who has been a candidate for office upon the Socialist ticket. It has for its executive officers a collection of Socialists, communists, and other radicals, sprinkled liberally with a number of Democrats who believe in paternalism. It has for its cardinal principles the destruction of the courts, the public ownership of railroads, mines, and key industries. Its literature and publications take advantage of the liberality of our laws to preach sedition, class hatred, and destruction constantly.

This organization in the primaries of 1922 and in the elections expended untold sums of money sending speakers, workers,

and literature into States and congressional districts to defeat men who refuse to subscribe to their violent, destructive, and seditious opinions. No railroad, no bank, no great corporation, indeed no group of private corporations or banking interests or railroad interests expended anything like the money or had at work anything approaching the tremendous organization that this Conference for Progressive Political Action expended or had in the field in 1922.

It worked under the guise of being nonpartisan. In point of fact, it lined up with scarcely any exception against candidates on the Republican ticket. Those exceptions were where the candidates on the Republican ticket were not Republicans but radicals stealing the livery of Heaven in which to serve the devil. This organization, which is daily, hourly at work breaking down the faith of the people in our Government, arraying the mass of people against those who have a competence, seeking to overthrow the courts of the land, advocating confiscation of railroads and mines thrives and accomplishes its purpose by reason of the direct primary. It would be utterly impotent under the old system of party convention.

This organization and kindred organizations are responsible for the nomination and the election to the Congress of bootstrap economists, who assert to the farmer they are going to lessen the cost of his living by reducing railroad rates and the cost of manufactured products and at the same time promise the workingman they are going to raise his wages. These are the gentlemen who are proclaiming the fantastic and impossible doctrine that they are going to cut down living costs all around by transferring the expense of running railroads, mines, and other industries from the shoulders of the shippers and consumers to the United States Treasury. But here they stop for the simple reason that they can not explain to the public how, if they increase the expenses of the Government, they are not going to increase taxes, and if taxes increase they must be paid by the man in the ranks.

These are the gentlemen who are advocating Government ownership of railroads. We had an experiment of that character for two years under the Democratic administration. It cost the taxpayers directly $2,000,000,000. The thing which afflicts the farmer to-day is the conditions brought about by Government control of railroads under the McAdoo régime. The high freight rates to-day are the result of the conditions fastened upon the transportation systems of the country under Government control. It succeeded in doing four things: It bled the United States Treasury of $2,000,000,000, which must be raised in taxes from the common people; it nearly wrecked the railroad systems of the country; it established and made legal a system of shop rules and working conditions and wage levels for the railroad unions which necessitated the raising of freight rates; and this condition brought about the fourth result, namely, the greatest distress the agricultural sections of America ever experienced.

Yet there are men in the agricultural sections of the United States who are now playing hand and glove with this conference for progressive political action, with these socialists, communists, and government-ownership fanatics in order to bring about a permanent control and ownership of railroads by the Federal Government and fasten upon themselves taxes indirectly and directly that will inevitably result in their utter ruin. There could be no more unholy and unnatural alliance imagined than the farmer joining hands with this outfit to turn over the industries of this country to the radical crowd.

It would have but one result in the world of transportation, in the mining industry, in all manufacturing plants—wages would be raised to a ridiculous level, hours of labor would be cut to a ridiculous minimum, a minimum of production would be set, and the result would be the rest of the world, and the farmer particularly, paying enormous tribute to the labor demagogues who would sit in control at Washington and by the threat of swinging the vote of their several million followers have a strangle hold upon Congress and the administration.

In this radical scheme to push up costs in the railroad world, in the mining industry, in all manufacturing industries—the bulk of which increase would be saddled upon the farmer because he is the largest buyer of transportation, of fuel, and all manufactured goods—are such organizations as the Conference for Progressive Political Action, the American Federation of Labor and its affiliated organizations, the Farmer-Labor Party, and other organizations having popular titles given strength and standing in the country by the support of men nominated and elected to office under the camouflage of their being Republicans.

In some quarters the voice of small politicians is being raised in advice that the Republican Party compromise with these elements; that if it does not it will go down in defeat. Never was more disastrous advice offered. It is on a par with the advice offered Lincoln in his first campaign to compromise with the institution of slavery and the advice offered later during the war that he should permit the "erring States to go their way" and thus bring about dissolution of the Union because that was the line of least resistance and the field of least endeavor and least anguish.

The Republican Party to-day is the only organization which stands between the forces of radicalism and destruction and the institutions of our Government. It is cordially hated and feared by those forces. That is evidenced by the fact that they and their satellites do not dare take the field openly against the Republican Party. Men who have the backing of these radicals do not seek nominations and elections as radicals but insinuate themselves upon the Republican Party under the Republican Party emblem.

"Boring from within" is the phrase used by radicals to describe this method of their efforts to secure control of the Republican Party. It is a phrase borrowed from Lenin and Trotski. It is apt; it is well chosen, in view of the fact that the objects ultimately desired by these gentlemen are the same as those of Lenin, Trotski, and their crowd of wreckers in Russia. There is nothing to be gained by compromising with these radicals. Those who cater to them earn their contempt, excite their derision, but never win their confidence or gain their support, while at the same time the party which would cater to them would justly earn the disgust of the solid, substantial worth-while Americans.

This Congress is drawing to a close. The written record will show it has enacted more constructive legislation than any American Congress in history. The written record will show it has enacted no class legislation, no destructive legislation, no legislation tearing down one section of the country in order to upbuild another, no legislation injuring one class of people in order to enrich another. It has been a Congress which has legislated for all classes and all people.

It found public and private conditions in the worst possible state, due to eight years of paternalistic government under the direction of a Democratic administration. It found the farmer bankrupt, 5,000,000 ordinarily employed wage earners walking the streets, business living from hand to mouth, industry paralyzed, taxes more oppressive than ever in the history of America, waste and graft rampant in the Government departments.

By legislation and by administration all this has been changed. It has been two years of rigid economy upon the part of both Congress and the executive branch of the Government. It has been two years of legislation reducing taxes. It has been two years of legislation putting business, agriculture, and industry back on their feet. It has been two years of retrenchment, two years of reconstruction, two years of working the country back to a healthy condition. All this has been accomplished by the Republican Party, in control of the executive and the legislative branches of the Government.

In the legislative branch it has been accomplished by Republican majorities in committees and on the floor of both the House and the Senate. It has not been accomplished by lobbyists who claim the credit for it. It has not been accomplished by "blocs" who claim they compelled the legislative branch of Congress to do their bidding. These lobbyists, these organizations, these "blocs" remind one of the fly that sat on the chariot wheel and exclaimed, "What a dust I am raising!" These accomplishments have been in spite of the "blocs" and the lobbyists and the organizations, not because of them. The Republican Party, in control of both branches of Congress, has legislated wisely and constructively just the same as it has legislated wisely and constructively in previous years when it had control of Congress. But here these gentlemen advertise themselves in order to keep the money coming into their coffers from the laboring men and farmers whom they dupe into paying dues. One would suppose that before they came on the scene of action and established themselves in high-salaried jobs no Congress had ever enacted a law in behalf of the workingman or the farmer or the business man or the country as a whole; and one, if he believes them, shudders at the prospect of their untimely demise, for if they go, wisdom shall certainly die with them!

Notwithstanding the splendid record of this Congress, no Congress has been more heartily damned and more unjustly maligned than the Sixty-seventh Congress. This misrepresentation and denunciation has its origin, its financing, and its distribution among those groups and "blocs" and individuals and lobbyists who have been unable to jam their schemes through this Congress. It has been aided and abetted by the "10 per centers" over the country—those who have secured 90 per cent of the leg-

islation they wanted but who are sore because they did not secure the remaining 10 per cent. It is human nature to complain because of the few things we do not get rather than to be thankful for the many things we do get. It is the privilege of the American people to criticize their legislative representatives. In fact, it is an American trait. The spirit of fault-finding is not new. The trouble maker has been a burden and a pest since the earliest time. There is every reason to raise the voice of warning against those who preach dissatisfaction, but there is no reason to despair because such doctrine is abroad. In the earlier days of this Republic similar conditions existed. In 1833 Daniel Webster made a speech in the Senate in which he said:

There are persons who constantly clamor. They complain of oppression, speculation, and pernicious influence of accumulated wealth. They cry out loudly against all banks and corporations and all means by which capitalists become united in order to produce important and beneficial results. They carry on mad hostility against all established institutions. They would choke the fountains of industry and dry all streams. In a country of unbounded liberty they clamor against oppression. In a country of perfect equality they would move heaven and earth against privilege and monopoly. In a country where property is more evenly divided than anywhere else they rend the air, shouting agrarian doctrines. In a country where wages of labor are high beyond parallel they would teach the laborer that he is but an oppressed slave.

Had Webster been living to-day he could not have described more accurately the situation. There is only one new element which did not exist in the days of Webster. That is the foreign propagandist—the propagandist and agitator who would have America forsake her time-honored policy of noninterference in the quarrels and bickerings, embroilments and wars, the age-long feuds of Europe. This class of agitators and propagandists are numerous. They are perhaps the best financed of any group of agitators in the country. They are now making a special effort to convince the agricultural sections of the country that the prosperity of the American farmer depends upon our interference in European affairs. He is being furnished all sorts of false figures, all kinds of misleading statements, in order to secure his support of the movement to have the United States shoulder the burdens of bankrupt Europe. In this connection I wish to quote from an article which recently appeared in the Saturday Evening Post under the signature of Garet Garett:

There is the fear that unless the European demand for our surplus agricultural produce is sustained the American farmer will be ruined.

Well, but here appears at once the unexpected circumstance that while the farm bloc was supporting the Borah resolution and was willing to support the administration in almost anything it might think to do for the purpose of saving Europe so that Europe could buy America's grain surplus—even then our exports of grain and grain products were running twice over what they were before the war, and had been running that way through the year, with exports of other food, like provisions, running at the same time half again as high as in normal times.

What is the explanation? It is simply that during the war and ever since our exports of food to Europe have been abnormal; not subnormal—abnormal. Fix that fact. They were abnormal during the war for obvious causes. They have been abnormal since the war because European agriculture is not yet back to normal. American agriculture has continued to supply the difference between normal and subnormal food production in Europe. Russia is still out. We are filling her place as food purveyor. But Russia presently will come back. Agriculture all over Europe is coming back. During the war Europe's annual grain production fell 1,000,000,000 bushels. The production in North America increased in the same amount. That kept a balance. In the last four years Europe's production has increased about 400,000,000 bushels. It is nearly halfway back to normal. And just to that extent her abnormal demand for North American grain is reduced. In the same way and for the same reasons the European demand for all American food products is tending to fall naturally—that is, tending to become normal again.

Instead of telling the American farmer that the American Government must settle things in Europe, must get German reparations fixed if it has to fix them itself, in order to sustain the foreign market for his surplus, the farm bloc ought to be telling him this: "Tranquillity in Europe will be a human blessing, though not for the reasons you think. Prepare yourself for the immediate effects. You will not like them. You are supposing that an abnormal postwar demand for food will continue. It will not. When Europe returns to a state of normal productivity she will be 95 per cent self-sustaining in foodstuffs, as she was before, and American exports therefore will fall to what they were before the war, which was much less than they are now. You are overproducing to meet the aftermath of a war demand which will tend to disappear no matter what we do. Therefore govern your work accordingly, as industry goes, and let your production down."

But, no. It talks to him of a food loan to Germany, and of continuing to give our surplus away—of giving, forgiving, and lending Europe the money with which to buy our things.

The thought of making a capital loan of $1,500,000,000 to Germany, or a capital loan of any sum, is fantastic. All that she can legitimately need is maybe 80,000,000 bushels of wheat to take her into the next crop and raw materials on which to apply her labor, provided she is willing to begin to pay three or four hundred million dollars at the utmost. And that may all be managed in the way of commercial bank credit. It ought not to be managed in any other way. She will buy the food in any event.

There is another thing the farm bloc ought to tell the American farmer and doesn't dare to say. That is: Growing grain for export is the most wasteful industry we have. It is conducted and must be conducted in competition with Australia, Argentina, and India. The sooner we stop it the better.

It would be impossible for me to state the situation any more clearly than it is stated in these few sentences. I have the honor to represent a congressional district which is strictly agricultural. It contains within its boundaries more farms than any other congressional district in the United States. I have tried during my tenure of office to represent the farmers of my district. In doing so I have endeavored to inform myself upon the subjects which affect their welfare and their prosperity. I can conceive of nothing that would result more disastrously to the farming interests of this country than for them to follow the false leaders who would have them participate in European affairs in the vain hope that by so doing they would increase their markets and thereby increase their prosperity.

The article quoted says the members of the "farm bloc" are back of the movement to have America interfere in Europe in order to revive it and restore the market of the farmers. I do not speak for the "farm bloc." I am not a member of the "farm bloc." I represent the agricultural interests of my district without being instructed by the "farm bloc" as to how I shall vote. I feel I, like every other Representative in Congress who comes from an agricultural district, know the sentiment of and the needs of the farmers of my district better than those lobbyists in Washington who claim they speak the voice of the farmer. I am certain I know better the need of the agricultural interests of my district than some members of the so-called farm bloc who know nothing whatever about farming a farm, but who are very adept in farming the farmer for his vote.

There is nothing more false than the repeated statements made in various quarters that the American farmer under the Republican administration in the last two years has lost his European markets. To prove the falsity of this statement, I present a tabulation obtained from the Department of Commerce, showing the exports of farm products for the five years preceding the war and for the last two years under a Republican administration. According to the Bureau of Foreign Commerce, the exports of "foodstuffs and food animals" for the five years preceding the World War were as follows:

Fiscal year ending June 30, 1910	$109,828,320
Fiscal year ending June 30, 1911	103,401,553
Fiscal year ending June 30, 1912	99,899,270
Fiscal year ending June 30, 1913	181,907,266
Fiscal year ending June 30, 1914	137,495,121

The exports of "foodstuffs and food animals" for the last two years were as follows:

Calendar year ending December 31, 1921	$692,248,671
Calendar year ending December 31, 1922	458,353,860

The exports of "foodstuffs partly or wholly manufactured"—such as flour, bacon, cured meats, and so forth—for the five years preceding the World War were as follows:

Fiscal year ending June 30, 1910	$259, 259, 654
Fiscal year ending June 30, 1911	282, 016, 883
Fiscal year ending June 30, 1912	318, 838, 493
Fiscal year ending June 30, 1913	321, 204, 373
Fiscal year ending June 30, 1914	293, 218, 336

The exports of "foodstuffs, partly or wholly manufactured," for the last two years were as follows:

Calendar year ending Dec. 31, 1921	$669, 665, 598
Calendar year ending Dec. 31, 1922	588, 242, 722

From these figures it is clearly evident that the American farmer has not lost his foreign markets. It is clearly evident that he is exporting more to-day than he did prior to the war.

I would not be guilty of the same deception that our Democratic critics and our international propagandists are guilty of by claiming this increase in exports as compared with pre-war period is due to a Republican administration, the result of Republican policies. Such is not the case. It is due to the fact that Europe is not yet back to its normal production of agricultural products. As the article which I have quoted so clearly points out, as soon as Europe is back to normal production the exports of our agricultural products will decrease. There is nothing else ahead for the American farmer except a decrease in his exports to Europe. The sooner Europe is put on its feet the sooner he will lose his exports to that country. The sooner Russia is again in the field producing enormous quantities of wheat and other products the sooner will our exports of wheat decrease to a level of the pre-war period.

Therefore what folly it is to argue that the American farmer should put up money to hasten the revival of Europe upon the ground that by so doing he will increase his exports. What folly it is to propose that the American farmer be taxed to raise a billion or two billion dollars to loan European countries in order that they may buy his products. If loaning a man money for the purpose of having him spend it with you is the way to prosperity, then there is nothing in the world to prevent the corner grocer from becoming a merchant prince by the simple process of loaning his customers

money with which they can purchase his goods. Ergo—the more money he loans the more goods they will buy of him. The more goods they buy of him the more money he will have to loan them to buy more goods. Strange it has been left to the addle-pated agitators of to-day to discover this short cut to affluence and ease. According to that theory of commerce and finance the two victims of a shipwreck, stranded on an island, could have become immensely wealthy by the simple process of swapping jackknives indefinitely.

The only thing which the American farmer should fear is the fact that European nations, and particularly Russia, will regain their normal production activities in agricultural lines before their currency assumes its normal value. This possibility is a real menace to the American farmer. The American manufacturer is facing increasingly destructive competition to-day from those industrial centers of Europe which have a debased currency.

They are flooding this country with manufactured articles laid down in this country upon a basis of valuation expressed in terms of their debased currency. No protective tariff ever written could possibly have rates high enough to protect American industries against imports so valued.

The logical and inevitable result of such a flood of imports laid down in this country, duty paid, for less than the American manufacturer can place them on the cars at his factory doors will be the decrease of industrial activity in America, with a corresponding decrease in employment of American wage earners. These wage earners are the best customers of the American farmer. I do not propose at this time to go into a lengthy discussion of the tariff. Suffice it to say that when the American wage earner has employment at an American wage the American farmer is prosperous because of his home market, and when, due to a flood of cheaply made foreign goods, the American wage earner is thrown out of employment the American farmer is the first and the worst sufferer.

The protective-tariff system has not only built up in America the greatest industries in the world and raised the level of wages and the standard of living of American wage earners higher than enjoyed by any other class of industrial workers in the world, but by the very reason of this the protective-tariff system has made the American farmer the most prosperous tiller of the soil in the world, infinitely better off than the peasant of eastern Russia or the muzhik of Russia.

Therefore it is incomprehensible from the standpoint of the interests of the farmer himself that such an organization as the American Farm Bureau Federation should, through its executives and through its trade organ, the American Farm Bureau News, launch an attack upon the system of protective tariff and endeavor to convince the farmer that his interests are identical with the interests of Europe, and that he will be best served if he breaks down the industrial fabric in America and reduces to a state of idleness the millions of profitably employed American wage earners.

That is but the beginning of the disaster. If the attacks of the American Farm Bureau upon the protective-tariff system, which it is making in conjunction with Democratic politicians, is successful, what the European manufacturer can do, the European agriculturist can do. Already Russia is coming back as a producer of agricultural products. Already she is shipping grain to Germany and to other European countries. First-hand observers who have returned from that country say that in two years Russia will again be producing great quantities of agricultural products for export, but who believes that within two years the Government of Russia will have become so stabilized, will have returned to the paths of sanity, will have reverted to the practices of economy sufficiently to restore her currency to a normal rate of exchange? No one. What is to happen to the American farmer if he lends his assistance to the free trader to break down the system of protective tariff when Russia begins to pour wheat into the ports of the Atlantic seaboard valued in terms of the depreciated Russian ruble?

When that hour comes the market of the American farmer in the industrial, consuming centers of the United States will be wiped out quite as thoroughly and as completely as though the entire Atlantic seaboard had slipped into the ocean. And if the American farmer in that hour can not compete at home with Russian wheat raised by the muzhik and paid for in the depreciated Russian ruble, what hope has he of competing with it in the markets of Europe?

The internationalist who would have the American farmer intervene in Europe in order that he may take upon his shoulders the tax burden of that continent; the free trader who would have the American farmer help him break down the system of protective tariff in order that Europe may seize the American markets, are the worst enemies to-day of American agriculture. Therefore, the conclusion is justified that such organizations as the Farmer-Labor Party, Conference for Progressive Political Action, the American Farm Bureau Federation, and like organizations, which are working hand and glove with those interests, disseminating their false and vicious attacks in an effort to mislead the farmer, are not the friends of the farmer and do not represent his interests.

The farmer of America, the wage earner, the business man, and manufacturer—all Americans, whatever their avocation or trade—should ever keep in mind that in this country, so long as popular government is to survive, the welfare of one class of citizens or one section of the country bears upon the welfare of all classes of citizens and all sections of the country. They should remember that one class of citizen or one section of the country can not be injured without that injury affecting and afflicting all other classes and all other sections.

We are living in the aftermath of the greatest world cataclysm of time. There have been other wars, but nothing which compared in extent or destructiveness to the World War. It literally wiped out the accumulations of centuries. It has turned into strange channels the current of human thought. But one thing it did not do and could not do. It did not destroy or change one iota the old-fashioned fundamentals or principles upon which all enduring civilization is founded. Now, as in the aftermath of all great wars, there is a spirit of unrest abroad; dissatisfaction is the rule rather than the exception. At such a time not only the welfare but the safety of nations and of civilization itself depend upon sober-minded, straight-thinking, God-fearing men and women who keep their eyes upon the eternal principles.

As for America and Americans there can be no better example to follow than the example of Abraham Lincoln, who has been justly styled "the first American." As for Republicans and the Republican Party, they must hold firmly and advocate boldly the same principles which Abraham Lincoln upheld and advocated. He believed in the sanctity of the courts. He believed in law and order and respect for constituted authority. He believed in sound money and economic practices. He believed in economy. He believed in the right of an individual to pursue his chosen avocation or trade and to enjoy the fruits thereof. He believed in all people, not a class. He believed in American institutions. He believed in America first. He believed in the doctrine of nonintervention in European affairs quite as firmly as he resented any effort upon the part of European nations to intervene in American affairs as they did attempt to do during the Civil War. He believed in the doctrine and the practice of protective tariff for American industries, American wage earners, and American producers. He believed in party government. He believed in party loyalty. He believed in giving an honest day's work, heaped up and running over, for an honest day's wage.

He stands to-day in the estimation of Americans and in the estimation of mankind, even to the farthest-flung outposts of the civilized world, as the most human figure of modern times and one of the most heroic figures of all times. He stands to-day in the estimation of all Americans as the exemplar of American institutions and ideals. He stands to-day in the estimation of Republicans not only as their first President, the savior of the Union, but as their lawgiver. Neither mankind nor Americans nor Republicans can go astray in working out the problems of civilization if they ever keep in mind the teachings and practices and the ideals of Abraham Lincoln.

Mr. BRIGGS. Mr. Speaker, the proposed constitutional amendment, claimed to be for the purpose of reaching tax-exempt securities, issued under governmental authority, is in reality something very much more, in that it strikes at the very foundations of the Government, and particularly at the perpetuity of the States and the control by them of their credit and their existence.

In the great case of McCulloch *v.* Maryland (4 Wheat., U. S., 316, p. 431) the Supreme Court of the United States most impressively called attention to the fact "that the power to tax involves the power to destroy."

The court said:

> That the power to tax involves the power to destroy; that the power to destroy may defeat and render useless the power to create; that there is a plain repugnance, in conferring on one government a power to control the constitutional measures of another, which other, with respect to those very measures, is declared to be supreme over that which exerts the control, are propositions not to be denied. But all inconsistencies are to be reconciled by the magic of the word "confidence." Taxation, it is said, does not necessarily and unavoidably destroy. To carry it to excess of destruction would be an abuse; to presume which would banish that confidence which is essential to all government.

But is this a case of confidence? Would the people of any one State trust those of another with a power to control the most insignificant operations of their State government? We know they would not.

The proposed resolution reads as follows:

Joint resolution (H. J. Res. 314) proposing an amendment to the Constitution of the United States.

Resolved by the Senate and House of Representatives of the United States of America in Congress assembled (two-thirds of each House concurring therein). That the following article is proposed as an amendment to the Constitution of the United States, which shall be valid to all intents and purposes as part of the Constitution when ratified by the legislatures of three-fourths of the several States:

"ARTICLE —.

"SECTION 1. The United States shall have power to lay and collect taxes on income derived from securities issued, after the ratification of this article, by or under the authority of any State, but without discrimination against income derived from such securities and in favor of income derived from securities issued, after the ratification of this article, by or under the authority of the United States or any other State.

"SEC. 2. Each State shall have power to lay and collect taxes on income derived by its residents from securities issued, after the ratification of this article, by or under the authority of the United States; but without discrimination against income derived from such securities and in favor of income derived from securities issued, after the ratification of this article, by or under authority of such State."

It will be observed that the proposal is so drafted as to persuade the States that the Federal Government is not asking for a privilege which it is not willing shall be exercised by the several States with respect to the Federal Government.

The hearings held before the Ways and Means Committee of the House of Representatives clearly reflect that the opponents of the proposed constitutional amendment were of the opinion that unless this so-called reciprocal power of taxation was given to the States there would be no possible chance of securing ratification of the proposed amendment by three-fourths of the States of the Union.

So, after all, this supposed concession of a reciprocal right is only a bait with which to entrap the States.

But quite apart from the wisdom or advisability of the adoption of such a policy, let us inquire for a moment as to the value to the States of the so-called reciprocal authority.

One of the foremost advocates of this resolution, and one of the recognized greatest tax experts of the country, is Hon. OGDEN L. MILLS, a Representative in Congress from the State of New York, who is generally known to be many times a millionaire and closely identified with J. P. Morgan & Co. and other great Wall Street interests. Mr. MILLS, when he appeared before the Ways and Means Committee in advocacy of the proposed amendment, made this startling admission and disclosure:

Mr. MILLS. Well, I take it that we have got to consider this proposition as Representatives of the National Government. What the States will do with it afterwards is a very different question, and I think my vote in the State legislature might be possibly different from my vote in the National Legislature, although I do not want to commit myself on that point. We have got to look at this from the national standpoint. We are giving the States the privilege, to be sure, of taxing national securities, but in return we are getting the great mass of securities that on the whole are going to constitute a much larger tax base than the Federal securities are. And what is more, we are asking for the benefit—and we are getting the benefit—of taking them at a much higher rate than the States are likely to do. You are only giving to the States the privilege of taxing income from the bonds.

Mr. GARNER. That is what I was going to call to your attention.

Mr. MILLS. And there are only four States in the Union to-day that have income taxes. All the other States, or the great majority of the States, tax securities as property, which they generally classify as the property tax.

Mr. GARNER. We are asking the State in this amendment to surrender their right to issue tax-free securities.

Mr. MILLS. Yes, sir.

Mr. GARNER. And to vest unlimited power in the Federal Government for tax purposes.

Mr. MILLS. Yes, sir.

From the foregoing statement, and the amendment proposed, it is apparent—

(1) That States which do not have an income tax law could not reach Federal securities.

(2) That only Federal securities controlled within the State could be reached, even if such State has an income tax law.

(3) That a few States, where the great financial centers exist, would control the Federal securities issued and be able to reach them through income tax laws. The great majority of States in the American Union would never derive an advantage from this so-called reciprocal provision.

(4) It is to be carefully observed that the proposed constitutional amendment does not authorize taxation of securities which have already been issued. The effect of this feature is of tremendous importance, because the Federal Government has issued about all the securities or bonds which may be necessary for many, many years to come, and is now engaged in the process of redemption and refunding of such securities, with a view to the final liquidation and payment thereof.

The States, however, in order to meet the necessities for schools, highways, drainage and reclamation projects, and other great public improvements, are constantly compelled to utilize their credit, or the credit of the political subdivisions of such States, to obtain bonds for such public purposes. So that while the States, for the most part, would never derive anything whatever from Federal securities, yet the Federal Government would either be able to entirely destroy the tax-exempt securities of the States and their political subdivisions, or to tax them so heavily as to destroy their marketable character.

It is apparent, therefore, that if the people of the United States are hoping to reach those tax-exempt securities of the Federal Government already issued through this proposed amendment, they are doomed to utter disappointment, for, as stated, it applies to future issues of securities only, and such part of great fortunes as has already been invested in tax-exempt securities will not be reached by the amendment proposed.

The Federal Government is not surrendering any appreciable authority, but will gain a tremendous and complete power over the individual States, their securities and their welfare, in the event the proposed constitutional amendment is submitted and finally ratified by the required number of States.

A reading of the proposed constitutional amendment clearly shows that such amendment would apply only to "securities issued after the ratification of this article"; which would, therefore, make it impossible under the proposed resolution to levy any tax upon tax-exempt securities already issued. The Secretary of the Treasury stated in a letter dated September 23, 1921, to the chairman of the House Committee on Banking and Currency:

It is also important, in order to avoid any question of bad faith, that the amendment should not apply to outstanding issues which now enjoy tax exemptions.

(5) It is also to be noted that there is incorporated in the proposed constitutional amendment not only language relating to securities issued by the Federal Government but also "under the authority of the United States or any other State."

The purpose of the inclusion of this language is very plain, especially when viewed in the light of the explanation given by the Secretary of the Treasury in his letter of September 23, 1921, previously referred to. He therein stated:

This would apply, for example, to securities issued by Federal land banks and other so-called instrumentalities of the Federal and State Governments, which might not be considered as coming within the terms of the resolution as it now stands.

This means that the tax-exempt privilege now enjoyed by farm-loan bonds could no longer be maintained in the event of the adoption and the ratification of the proposed constitutional amendment.

By degrees, therefore, it will be seen that the smoke-screen attack which has been for a long time developed and sustained with great intensity by certain mortgage banking interests against the farm loan act is becoming recognized as one of the strongest moving forces to bring about the adoption of the proposed tax amendment.

The Secretary of the Treasury testified at the hearings in January, 1922, as follows:

Mr. YOUNG. Mr. Secretary, would you mind telling the committee what, in your judgment, the adoption of this resolution—what effect it would have on the sale of Federal farm-loan bonds?

Secretary MELLON. They would probably have to bear a higher rate of interest in order to meet the difference in taxation or to meet the competition in the market from tax-free bonds.

Mr. HAWLEY. Mr. Secretary, that would depend to some extent upon the condition of the market at the time they were offered, the scarcity of bonds; and if investment funds were considerable, the rate of interest might not be seriously affected.

Secretary MELLON. Certainly it depends on the condition of the money market at the time.

Mr. YOUNG. But in a money market that is rather tight, where money is scarce, you figure that it would affect the rate and increase it?

Mr. GARNER. The farm-loan bonds would have to absorb this tax in an increased rate of interest, would they not?

Secretary MELLON. They would have to pay an increased rate of interest undoubtedly. They always would. It might be a lesser or a greater amount of interest and might not be higher than the rate now prevailing, but it would be higher if this exemption were not allowed than with the exemption, naturally, and so would all Government issues.

The farm loan act successfully resisted the effort of certain interests to have it declared unconstitutional chiefly because through its operations the farmers of the United States were being relieved of extortionate interest rates and charges in connection with loans and being permitted to borrow from the land banks upon reasonable terms.

The effect of the operations of the land banks, moreover, has not only been to give the farmers loans at lower rates of interest when the money was borrowed through the farm-loan system but has compelled those previously exacting extortionate interest rates and charges to reduce such rates in order to find investment for their money.

It is, therefore, but natural that these selfsame interests should be seeking to compel the farmers of the United States to pay more for their loans when obtained through Federal land banks, so that these interests in turn may likewise make a higher charge and receive an increased interest return.

The hearings held on this resolution show the attendance of some of the so-called mortgage bankers who were intensely interested in removing, as far as possible, the competition and effect of the low interest charges upon loans through Federal land banks, which low interest charges are made possible largely through the tax-exempt privilege which the Federal farm-loan bonds enjoy.

It is through the sale of these bonds that the money is provided out of which the farmers obtain their loans.

The Secretary of the Treasury, Mr. Mellon, estimated that the difference in the interest rate between what a tax-exempt bond would have to bear and a bond without tax-exempt privilege would have to pay, in order to sell at par, would be from 1 to 1½ per cent.

Mr. FREAR. That is true to-day that the Government can issue 3½ per cent tax-free securities?

Secretary MELLON. Yes, sir. Now, to sell a security at par that is not tax free the Government would have to pay a rate of interest to-day of more than 4 per cent, of course.

Mr. CRISP. More than what?

Secretary MELLON. More than 4 per cent. I suppose it would depend upon the length of time they would have to run, but it would be somewhere from 4½ to perhaps 5 per cent, depending on the length of time they would run.

The Government actuary, Mr. Joseph S. McCoy, testified:

There is little doubt that under these conditions the future investor in what are now tax-exempt securities would demand that they bear a higher rate of interest or be sold at a discount sufficient at least to meet this tax.

The Secretary of the Treasury appeared inclined to the same view, and the chairman, Mr. FORDNEY, of the Ways and Means Committee, thought the people generally would pay double in increased interest charges what they would receive back in taxes.

But it is urged that the States and their political subdivisions are reckless and extravagant in the issue of tax-exempt securities and should be curbed.

A good and sufficient answer to this argument is that the curbing should be done by the States in the regulation of their own credit and not by the Federal Government through a paternalistic control over the States.

It is well known, moreover, that before bonds for great public improvements can usually be issued now a vote of the people of a county, school, reclamation, or drainage district must first be cast authorizing the issuance of the same.

Is the Federal Government to be permitted to exercise the veto power over the control by the people of the States of such matters of vital domestic concern?

The manifest purpose of the proposed constitutional amendment is declared by large money and mortgage banking interests to be the suppression and elimination of tax-exempt securities; and to be more frank about it, it should be added, the tax-exempt securities issued by the States or political subdivisions thereof.

And when one asks for the reason behind such purpose it is speciously urged by such interests that it has to be done in order that great fortunes shall not escape taxation.

It is a singular thing that so many millionaires of Wall Street and elsewhere and other men of enormous wealth, who have been and are still vigorously advocating the reduction of the Federal income surtax on swollen fortunes, should suddenly become so solicitous about none of those fortunes escaping taxation, as it is claimed they are doing now, in tax-exempt securities.

Hon. OGDEN L. MILLS, heretofore referred to as one of the greatest champions of the proposed amendment, as late as August 17, 1921, in a speech in the House of Representatives indicated that even if false statements had to be made to conceal their assets and profits great swollen fortunes would not pay a high range of Federal income surtaxes.

He was advancing the argument in advocacy of a reduction of surtaxes upon such great fortunes to a basis where, he claimed, it might be possible to persuade those against whom they were assessed to make an honest and true return. Mr. MILLS further indicated that public sentiment sustained such tax evasion. And yet it now appears his deepest concern is that these very swollen fortunes shall be reached to the uttermost limit by the alleged device of practically prohibiting, through the Federal Government, the issuance of all future tax-exempt securities by the State governments or their political subdivisions. Surely the people can not be accused of being unreasonable if they question the sincerity of such advocates and distrust the motives behind this movement for conferring upon the Federal Government the power to control the destinies of the several States and forever destroy their independent sovereignty. The price to be paid for giving the Federal Government power to control the issuance of tax-exempt securities is so amazingly and incredibly high that the American people have never dreamed of its proportions and have not realized that it demands the surrender of the sovereignty of the States and involves a relinquishment of right and power to exist as independent political units within a Federal Union, so that all the governmental power of the States and municipalities will be completely submerged in the power of the Federal Government, which will then be all-embracing and supreme.

It is apparent to one who gives consideration to this great question of the regulation of the issuance of tax-exempt securities that the remedy for checking or controlling the issuance of such securities is not to confer upon the Federal Government the power to control the credit, and thereby the very right to exist, of the individual States of the Union and their political subdivisions, but rather to formulate and declare a policy to be initiated, adopted, and carried out by the several States, each within its own sphere, and regulating the issuance of its own securities, and the Federal Government likewise regulating the issuance of Federal securities; so that, in order to check or abate the issue of tax-exempt securities, all that will be necessary is for the individual States to exercise the powers which they already enjoy to provide for a limitation upon the tax-exempt privileges of State and municipal bonds and for the Federal Government to exercise the power which it already has to curtail or entirely restrict the tax-exempt privilege of any future issues of Federal bonds.

Of course the people will be called upon to pay higher rates of interest upon their bonds, as indicated by the Secretary of the Treasury, whenever such bonds are divested of their tax-exempt privilege and are made taxable, because such bonds, when taxable, will have to yield to the investor a higher return in order to be as productive from an investment standpoint as a tax-exempt bond. But this, as stated, is simply a question of policy which each State is quite able to regulate in its own way and in conformity to the wishes of its people without conferring the power upon the Federal Government to destroy such States through the power of taxation and to leave them helpless and dependent upon the mercy of the Government of the United States.

Mr. TYSON. Mr. Speaker, the tariff bill recently enacted into a law contains provisions never before incorporated in any bill. Those provisions attempt to confer elastic powers upon the Executive in disregard of the fundamentals of the Constitution which define the powers to be exercised by the legislative and executive branches of the Government.

The Constitution clearly imposes upon the legislative department of the Government the power to "lay and collect taxes, duties, imposts and excise, to pay the debts and provide for the common defense and welfare of the United States." That power can only be exercised by the Congress and is nondelegable. That it is committed exclusively to the Congress by the Constitution in its exercise is made plain by that provision of the Constitution which vests in the Congress "all legislative powers" granted by the Constitution, excluding the exercise of those powers by the Executive or the judicial.

The framers of the Constitution scrupulously guarded the rights of the people, especially with respect to the raising of revenue. They incorporated into that instrument a mandatory clause requiring that "all bills for raising revenue shall originate in the House of Representatives," conferring upon the Senate merely the right to "propose or concur with amendments, as on other bills."

When it is remembered that the Members of the House are the direct representatives of the people, and so constituted under the Constitution as originally adopted, it will readily be seen that the purpose of its framers and of the States in ratifying it was to give to the people as nearly as possible a voice in the imposition of taxes to be raised for the support of the Government.

It will hardly be gainsaid that "duties, imposts, and excise" collected at the customhouse, commonly known as tariff, are taxes, and that burden must be borne by the people of the United States.

A tariff bill, therefore, is a revenue bill, and the power of originating it is granted to the House exclusively. Nor can it be gainsaid that the enactment of a tariff bill is the exercise of legislative power granted exclusively to the Congress and can be exercised by no other branch of the Government.

The prescribing of the rates of duties upon imported articles is the exercise of a function of legislative power, committed to the Congress and denied to the Executive under the Consti-

tution. And when Congress undertakes, in violation of the Constitution, to shirk its duties by delegating to the Executive the power to name the rate of duty which any imported article shall bear, the exercise by the Executive of a power so attempted to be delegated involves usurpation.

The people in the ordaining of the Constitution carefully and studiously avoided committing to any department of the Government the right to fix the rate of taxation other than to the Congress.

The rate of taxation is the very essence of tax legislation, and the one in which the people of the country are the most interested.

In the construction of the present tariff bill, by way of amendments offered in the Senate, the power is attempted to be conferred upon the Executive to increase or decrease rates of duties, not to exceed 50 per cent, as fixed by the bill on any article of import which in his judgment will equalize competition, or to adopt the American standard of valuation instead of the foreign standard of valuation, or vice versa, and increase or decrease the rate as fixed by the bill, not to exceed 50 per cent, as his discretion may dictate.

No other construction can be placed upon those provisions than that they attempt to confer upon the Executive the power to fix rates of duties and to change those rates as often as he may choose. For example, the duty on an article as fixed by the bill may be 25 per cent ad valorem, and under the power attempted to be conferred upon the Executive he may fix the rate at 37½ per cent, or 12½ per cent ad valorem or some intermediate figure.

Indeed, the duty may be, as fixed by the bill, based on a foreign valuation and changed by the Executive to an American valuation, with an increase or decrease of duty not exceeding 50 per cent of that fixed by Congress.

I repeat, if this is not rate making and revenue raising and taxation by the Executive, the exercise of a legislative function conferred exclusively upon the Congress by the Constitution, then the grant of power to the Congress "to lay and collect taxes, duties, imposts, and excise" is without meaning.

I assert, without fear of successful contradiction, that no court of any respectability has ever held that the Congress of the United States may delegate to the Executive the power to fix the rate of taxation—the rate of duty which imports must bear and which must be paid by the consumer thereof in this country.

It is one thing to confide by legislative enactment administrative features of a law to be exercised by the Executive, but that is quite a different thing from committing to him the power to fix a rate of taxation which must be borne by the people.

It will not do to say that because the rate of duty is limited to a decrease or increase of 50 per cent that the Congress and not the Executive fixes the rate of duty which an article of import must bear. The difference in the increase or decrease between no per cent and 50 per cent may be fixed by the Executive and unfixed by him whenever it suits his pleasure. He, therefore, in naming the rate of duty necessarily fixes it, and in doing so he is exercising a legislative and not an executive function.

What effect upon the commerce of the country the exercise of such a power will have is not difficult to foretell. The importers of goods can never know the duty which they will have to pay and, therefore, the price at which their goods may be sold, nor can the buying public be protected in purchasing merchandise at the fairest cost to them.

The power attempted to be conferred, if valid, redounds to the benefit of the profiteer. Every competitive manufacturer of goods in this country will, of course, fix a price on his goods which will enable him to make a profit, irrespective of what valuation or rate of duty may be fixed by the Executive, and the consumer must pay the price.

Not only is such a power dangerous to the commerce of the country in that it confers upon the Executive, in the exercise of that power, the unreviewable right, the final right, to so administer the tariff rates as to be oppressive to the people or to promote the prosperity of one class of industry to the destruction of another, but is dangerous to the Republic.

When it is remembered that the House in the passage of this bill adopted the American valuation plan, in which the Senate declined to concur, resulting in an amendment of the House bill utterly repudiating that plan, it will readily be seen that the attempted effort to confer upon the Executive the power to adopt the American valuation plan is a cowardly subterfuge upon the part of the Congress to have put in force a valuation plan by the Executive which the legislative branch of the Government had not the courage to adopt, and this the Congress has attempted to do by a delegation of legislative power forbidden by the Constitution.

Whether a duty be fixed upon a foreign or an American valuation is essentially legislative. A valuation is necessarily a basis for fixing an ad valorem duty, and whether that valuation shall be foreign or American must be determined by the Congress, and can not be determined by the Executive.

Not only do the dodges on the part of the Congress of assuming the responsibility of fixing a valuation plan and the rates to be exacted, coupled with the attempt to confer that power upon the Executive, involve a violation of the Constitution and of the solemn oath taken by Members of the Congress to support the Constitution, but also involve an attempt to confer on the Executive a power destructive of the rights of the people of a democracy.

If the Congress has the power, under the grant vested in it by the Constitution, to transfer to the Executive the right to fix rates of tariff, it has the power to transfer the right to exercise any other legislative grant vested in it by the Constitution of the United States.

When once this is conceded and becomes a fixed principle established in our political system the grants of power in the Constitution which limit the legislative powers to be exercised by the Congress may be wholly disregarded, and instead of having a government by the people and for the people we will have a government by the Executive and for the Executive.

The progression of the abrogation by Congress of the powers conferred by the Constitution and the transfer of the exercise of those granted powers to the Executive will necessarily lead to a destruction of the republican form of government ordained and established by the Constitution.

The attempt on the part of the Congress to abrogate the discharge of its constitutional obligations and to impose the performance of those obligations upon the Executive in the making of tariff rates, in so far as that particular matter is concerned, is of comparatively small moment when we consider the consequences that may flow as the result of the recognition of the right of the legislative body of this Nation to delegate the exercise of legislative power to the executive branch of the Government. It is not difficult to see what the consequences will be if this principle is established. Whenever power is acquired by man he is so constituted that he never voluntarily surrenders it and will exercise it, however oppressive it may be upon the people, though its acquisition may be by usurpation.

Whenever we depart from the principle that this is a government of law and not of men, and whenever we willingly as a people surrender the rights secured by the Constitution and acquiesce in the usurpation of those rights by an Executive, the day will not be far distant when anarchy will take the place of law, resulting in the destruction of American civilization and the liberty secured to the citizen by the Constitution.

No people enjoying the form of a democratic government can afford to tolerate the exercise of a governmental power not conferred by their organic law. And no representative of the people sworn to support the Constitution should be tolerated who, inadvertently or knowingly, votes to confer a power upon any other branch of the Government where the obligation of the execution of that power is imposed upon the legislative body of which he may be a member.

The determination of whether a bill is conformable to the Constitution and within the power of the Congress to enact into a law is necessarily addressed to the legislative body in which it is pending. The responsibility of determining whether a bill or any provision of it is within the jurisdiction of the Congress to legislate upon the subject matter of the bill is upon the individuals composing the Congress. That responsibility can not be shifted or avoided by enacting a bill into a law and forcing some interested citizen to challenge its constitutionality, and thereby imposing upon the courts of the country the duty of determining its validity.

The presumption is always indulged that the Congress has acted within the powers conferred by the Constitution in the enacting of statutes; and the executive officers of the Government, acting on that presumption, proceed with their enforcement and continue in the process of their enforcement until their validity is challenged by some citizen and their invalidity declared by the courts.

The presumption indulged by the executive officers that the Congress has not exceeded the powers granted to it by the Constitution is also indulged by the courts, and the burden is upon the citizen challenging the validity of the enactment of demonstrating its unconstitutionality beyond a reasonable doubt.

This burden should not be imposed upon the citizen in order that he may enjoy the rights and privileges secured to him by

the Constitution, and this burden would never be imposed if the Members of the Congress would discharge the solemn obligation of seeing that all laws enacted by the Congress are within the grants of power vested by the Constitution. And that obligation would doubtless be fulfilled if Members of the Congress would forget the political advantages which may accrue to their party by the enactment of unconstitutional statutes.

A no more striking example of this could be found than in the Fordney-McCumber tariff bill here under discussion.

No political party in the Congress would have dared to confer the powers upon the Executive of this Nation attempted to be conferred by that act had it not been conceived that the Executive could exercise those powers to promote the political supremacy of the party to which he belongs.

No greater weapon could have been placed in his hands to compel the industrial and manufacturing interests of this country to give allegiance to the policies of the party of which the Executive is the head and to aid in the continuation of that party in power, and no more powerful weapon could have been given the Executive to dominate the economic conditions of the country.

Mr. CARTER. Mr. Speaker, under leave given to extend my remarks, the following data is submitted. It consists of a statement concerning the oil rights in the Red River bed controversy made by Hon. Thomas P. Gore on January 24, 1923, and is inserted at his suggestion:

STATEMENT OF HON. THOMAS P. GORE.

Mr. GORE. Mr. Chairman and gentlemen of the committee, I wish to thank the committee for the courtesy shown me in having this called meeting, and in exchange for the courtesy I wish to tender you my sympathy. It seems as if the hearings on this Red River question are to be as perpetual as the brook in the poem. So far as I am concerned, I will try to abbreviate my part in the discussion.

I am sorry not to have been here yesterday. I understand that on yesterday a representative of the State of Oklahoma appeared before the committee and pressed the proposition that these entire lands, that the entire south half of Red River from the Arkansas line to the one hundredth meridian, be granted outright to the State of Oklahoma. It is hardly necessary for me to say, Mr. Chairman, that any grant of land which the General Government might make to the State of Oklahoma which did not impair the equitable claims of these pioneers would be a source of great satisfaction to me.

I would like to see the entire strip, the entire south half of Red River, top and bottom, granted to Oklahoma, reserving, of course, the equities which, in my judgment, have accrued, in view of the circumstances, in behalf of men who discovered this oil field. Neither I nor those whom I represent have taken the initiative in any effort to secure a grant to Oklahoma for these reasons. I have undertaken to proceed in a practical way. I have undertaken to place myself in the situation of this committee, to make a survey first of the things it was possible for you to do, then to make a choice among the possibilities and a choice based upon the general and established policy of the United States in dealing with oil and gas lands of this character.

I realize that if Congress should grant this oil field to Oklahoma, Montana, Wyoming, and California would immediately not only insist but demand that the oil fields within their borders be granted to their respective Commonwealths.

Mr. MCCLINTIC. Mr. Chairman, will the Senator allow me to interrupt him there?

Mr. GORE. Yes.

Mr. MCCLINTIC. I am sorry you were not here yesterday. In order that the record may portray the true facts, I want to say that Montana and these other States would not have a right to come in on the same grounds as Oklahoma, because we ask for this land upon the authority of the land grants of 1862 and 1866, which have been satisfied so far as the States you name are concerned.

Mr. GORE. I appreciate that.

Mr. MCCLINTIC. They could not come in on the same ground.

Mr. GORE. I appreciate that, and also the fact that the General Government has dealt rather generously with the State of Oklahoma in respect to lands. It has treated the State and the institutions of the State pretty generously, notwithstanding that the General Government is in default to the State of Oklahoma with respect to the lands granted in the Morrill Act. I hope that the General Government will yet find ways and means to fulfill that unredeemed obligation. If the opportunity should arise, so far as might lie within my power, I would contribute to the redemption of that pledge which has not been made good and which I would rejoice to see made good in the future; but, notwithstanding that fact, I would still doubt the forbearance of Montana, Wyoming, and California in the event the proposition were made to convey this oil field to the State of Oklahoma.

I would doubt if they would find themselves possessed of sufficient forbearance not to venture a similar request in behalf of their Commonwealths. Now, I do not know what is twinkling in the eye of Judge RAKER there, but he is a more moderate man than I imagine if he did not take occasion to intimate on that occasion that California would not be adverse to receiving the oil fields situated within her borders.

It has occurred to me that possibly the State might ask for the royalties. Mr. Chairman, whether the United States leases these lands or grants them to Oklahoma to lease away, a royalty would be reserved in behalf of the United States in case the United States leased this land. If granted to Oklahoma and Oklahoma leased the lands, a royalty would be reserved to the State of Oklahoma. Assuming that you take care of the pioneers in either contingency, all that Oklahoma would receive would be the royalties accruing from the lands claimed by these pioneers, so that the transfer of the entire estate to Oklahoma, allowing Oklahoma to lease the lands, reserving a royalty would not really speed her on her way very far. In other words, the practical results would be the same, because I should favor no scheme for disposing of this land either by the General or the State Government which did not guard and recognize the rights of those men who took the chance and developed the presence of this hidden treasure.

Mr. Chairman, I have assumed that this committee in meeting this exceptional situation would as far as possible pursue, adopt, and apply the general and established policy of the United States. These circumstances are exceptional. They must therefore be dealt with in an exceptional way, and by special or relief legislation, but in enacting relief legislation I assume that the committee will, as far as possible, adapt and apply the general policy of the Government to the peculiar circumstances of this case.

When these lands were located in December, 1918, and January, 1919, the general mining laws of the United States did apply to the public domain. It was an ancient policy. It had been the policy of the Government for more than half a century. That policy was displaced in February, 1920, displaced by the leasing act so far as oil and gas deposits are concerned. The leasing act was the result of a great deal of deliberation and it embodied a compromise of various conflicting interests, but it was a matured policy. So far as I know the act has worked well. It has justified and vindicated the wisdom of the men who prepared it and the men who enacted it.

I have assumed that the committee in meeting this emergency would apply the provisions of the leasing act to these exceptional circumstances as far as that can be done in working out practical justice.

Under the leasing act a royalty is reserved to the United States, and under the leasing act the lessees are obligated, of course, to pay a royalty to the Government of the United States.

Now, I assume that that characteristic will attend any relief legislation which may be enacted to meet this situation. Nothing but the Supreme Court of the United States would have convinced me, Mr. Chairman, that the leasing act did not apply to the south half of Red River. The first section is general in its terms. It contains an express exception, which would indicate that everything that was not excepted out of its operation was included within its operation, but the Supreme Court has held otherwise.

The leasing act contains several relief sections, sections 18, 18a, 19, and 37. Section 37 provided that anyone having a valid mineral claim existent at the date of the act could pursue the claim to patent. Now, mark you, it used the expression "valid claim." That presupposed that the land in question was subject to the mining laws, and it presupposed that the claimant had complied with the requirements of the mining law, and having done that he was entitled to a patent. Relief under section 37 of the leasing act turned on the character of the claim.

Section 19 was a relief section, somewhat similar to section 37, except that the relief granted under 19 did not turn on the character of the claim but turned on the character of the claimant. It provided that any bona fide claimant or occupant of oil and gas lands under a claim—not under a valid claim, but under a claim—initiated prior to October 1, 1919, who had complied with certain conditions and requirements, being in the main, of course, conditions stipulated in the general mining laws, should be entitled to relief in the form of a permit or lease.

I believe that the chairman of this committee and Mr. RAKER both had much to do with the drafting of the leasing act—I think I have seen their fingerprints on that measure. I have wondered what section 19 was inserted for if it means the same as section 37, and under the construction of the Supreme Court it seems to grant relief to no one who can not obtain relief under section 37, and I assume that no man would seek relief under a lease where he was entitled under the law to a patent. Now, section 19 reads as if it were drawn to meet exactly this emergency, and I take it this committee will apply section 19 to this situation as far as that can be done. The two measures, one introduced by the chairman and one introduced by Mr. SANDERS, fall within the general boundaries and purview of the leasing act. The spirit and purpose and policy of that act are embodied in those measures.

Whatever legislation you enact will, of course, define the conditions and fix the standard which must have been conformed to by the claimants who are to be entitled to relief. In fixing these conditions and circumstances the committe will, of course, add as one of the conditions the presence of good faith.

Now, of course, there will be contests, Mr. Chairman, arising under this legislation, whatever you enact. There will be claimants insisting that they did in good faith comply with the conditions and that they enjoy priority of right.

A good deal has been said here during the course of the hearing with respect to the detailed circumstances and evidence tending to establish priority in behalf of one claimant as against another. As I view the situation those details are not essentially material at this time. You will prescribe the conditions, fix the standard. The duty of determining whether a given claimant qualifies under those conditions and standards must be devolved upon an administrative officer of the Government. The committee is not equipped for that sort of work. It is a quasi-judicial duty, which must in the nature of things be devolved on some official of the Government. The duty will, of course, be devolved upon the Secretary of the Interior. The thing now is to secure relief legislation based upon sound public policy, which makes provision for the equities of the case, and when the committee has done that it has discharged its duty, and we must, of course, assume that the Secretary of the Interior will then discharge the duties devolving upon him.

The necessity for legislation in behalf of these claimants depends upon their claim that they acted in good faith. Those who did not act in good faith can not appeal to you for consideration. Judge Dyar made his entire protest turn upon the point of good faith and he took the position that under the circumstances which obtain in this controversy no one could have acted in good faith. He claims that the circumstances negative the presence or the possibility of good faith.

The chairman read authorities into the record which stripped the issues down to a clear-cut point, so that it can be seen of all men, and it is clear that good faith can be exhibited where there is an adverse claim or an adverse claimant. Judge Dyar assented to the general propositions laid down by the chairman or, rather, laid down in the authorities cited by the chairman, with two qualifications. First, he insisted that the rule is that the party alleging good faith must have used extreme caution and exercised due diligence. Now, I agree with the judge. His first qualification is well founded. That is the law. The other qualification was that in the cases cited by the chairman those alleging good faith were seeking to recover improvements or the value of improvements, and that no claim was set up for the substance of the property and, therefore, the authorities did not constitute precedents in a case where a claimant was seeking the substance of the property itself. Now, I can not agree with Judge Dyar in the application of that rule. He was reasoning by analogy, and no method of reasoning is so dangerous as that of analogy, because

there may be an essential difference, a fundamental difference, in the facts and circumstances of the case. The difference may be latent; but if there is a fundamental difference, of course any analogy fails.

I submit that in the existing situation the analogy suggested by Judge Dyar utterly fails. No individual who owns land ever blazes forth to the world that if the people will come and find valuable mineral deposits on his premises the mineral deposits shall be theirs for a song. That is never done, but the United States for more than half a century has said to all men, to all men who could qualify, to all citizens of the United States, without regard to age, color, or sex, "Find a mineral deposit of value anywhere on the public domain and that deposit is yours"—the substance, not the shadow—"the substance is yours for a nominal consideration." That is the purpose of the policy and that is the title of the act. The act of May 10, 1872, was entitled "An act to promote the development of the mineral resources of the United States." Judge Pitney in a recent case said it held forth an invitation to all men and the promise of a generous reward to those who accepted the invitation.

These men accepted the invitation, and Attorney General Williams, the year that measure was enacted, rendered an opinion saying it ought to be liberally construed in order to effectuate the policy of the law.

The object of the mining laws of the United States has been to dispose of the substance, to dispose of the minerals, I believe, under a placer mining claim at $2.50 an acre and under a lode claim, I believe, at $5 an acre. Judge Raker will correct me if that is not right. That is the law and it has been a wise policy. It has been justified by a progress which has no parallel in the annals of the race. It is not analogous to a private individual, who generally observes the ancient rule, the good old plan, "Let him get who has the power and let him keep who can." So the analogy fails altogether.

Now, Mr. Chairman, with respect to good faith, I think this distinction ought to be made. It is not necessary for these claimants to make a showing of good faith before this committee which would justify you in granting them a lease or leases to these lands, if you were vested with authority to do that. Your function, as I conceive it, is to consider the circumstances of the case; to consider the showing of good faith which they did make; it is your duty, as I conceive it, to determine whether or not an executive officer of this Government ought to be vested with the power and charged with the duty of making a thorough and judicial investigation, weighing the evidence, measuring the situation, dealing with these men in the light of our history and determining whether or not they used such good faith and did such development as would entitle them to a lease, a lease that would be in harmony with our public policy. That is the duty of the committee, as I understand it, with respect to good faith.

What showing have these claimants made in regard to good faith? I think they have made such a showing; they have made such a showing as warrants you in commissioning some one to make a thoroughgoing investigation of the facts and equities in the premises, and to render judgment in accordance with such findings.

It is my own belief that my client, Mr. Testerman, has made such a showing of good faith as will justify you gentlemen in the pursuit of such a policy. Now, what did he do? Tom Testerman is a plain, practical man; he is one of the men who has made Oklahoma what it is; he has builded better than those who built palaces; he has helped to build a Commonwealth and to establish a seat of civilization, than which there is no greater service to this country or to the people of this country.

Now, Mr. Chairman, the Greer County case was a matter of common knowledge; it excited a great deal of interest while it was pending, and it was known to all men that the United States won the suit; it was known of all men that the Supreme Court of the United States decided that the south bank of Red River was the southern boundary of Oklahoma and that the south bank of Red River was the northern boundary of Texas. Everybody knew that, and Tom Testerman took the word of the Supreme Court in good earnest when it said so. As I suggested before, the Supreme Court did not attach to that opinion the statement that its judgment was not a joke. It did not say, "Know all men by these presents that the south bank of Red River is the north bank of Texas, and anybody who crosses it is a transgressor." But it said that the south bank was the boundary between the two jurisdictions. That was known to Tom Testerman and known to other men.

Now, when the oil interests excited Wichita County, men's eyes naturally began to search for lands of the United States which might be available. But Tom Testerman did not rush in where angels fear to tread. He made as thorough an investigation and survey as his circumstances would allow him to make, and this must be kept in mind: He and his conduct must not be judged in the light of the three recent opinions of the Supreme Court of the United States. It is now easy to say that the south half of Red River belongs to the United States and that it was not subject to the mining laws of the United States. The child at its mother's knees knows that now. But you must judge Tom Testerman, his motives and his conduct, under the circumstances as they were at that time.

In judging of the conduct and the genius of Christopher Columbus we do not reach that judgment in the light of present-day science. We have to travel back to August, 1492, and make ourselves denizens of that age as well as denizens of the Old World, and we must judge of his motives, his conduct, his genius, and his greatness by the knowledge of mankind at the hour he set sail. In judging the conduct of Washington and his compatriots we do not judge them in the light of twentieth-century civilization. Those men looked at their situation and at their prospects through the midnight gloom of Valley Forge, and looking through that gloom they could not catch sight of the splendors which have since come upon us and our country.

Tom Testerman was a layman, a practical man. He believed that the south half of Red River belonged to the United States because Oklahoma went to the south bank of the river and because the Indian treaties and the lands that were granted under them, as well as the act opening the lands to settlement, stopped at the middle line of Red River. It required no impulse of genius to reach the conclusion that that land belonged to the United States. But he did not go on his mere assumption. He was a member of the State senate at the time and had served several terms in the State legislature. He was an intimate friend of Governor Williams, at that time Governor of Oklahoma, but who had been chief justice of our State and is now an ornament to the Federal bench. He went to Governor Williams and told him that he had taken an oath as governor to execute the laws of Oklahoma throughout the territorial extent of Oklahoma, and he asked him how far he executed the laws of Oklahoma in Red River. The governor told him he executed the laws of Oklahoma to the south bank of Red River. Now, then, an ordinary farmer had a right to attach some weight to the opinion of the former chief justice of our State.

He did not stop there. He found that the companies which owned the toll bridges across Red River paid taxes on the entire bridge to the counties in Oklahoma where they were situated. Commonwealths are rather alert in collecting all the taxes that are coming to them. It would not have been allowed to go unchallenged if it were not a matter of common knowledge, the fact that the south half of Red River was within the jurisdiction of Oklahoma.

He did not stop there. He found that the railroads sold tickets in Oklahoma marked to the south bank of the river. They were required to make returns as to their gross earnings to the State, and they counted as a part of their earnings the fares to the south bank of the river. They were allowed in Texas and in Oklahoma to issue bonds based on their mileage. The Oklahoma railroads based their bonds on the mileage to the south bank and the Texas railroads also based their bonds on their mileage to the south bank. We had a 2-cent fare in Oklahoma and a 3-cent fare in Texas. The railroads were contesting the 2-cent fare on the ground that it was confiscatory, yet they sold tickets at 2 cents a mile to the south bank of Red River. Not only that, but they placed markers at the bridges on the south bank, "Texas and Oklahoma," in order that he who runs might read. It was advertised to the world that the south bank was the boundary, and Tom Testerman knew that because he took the trouble to find it out. I believe there was an opinion by the criminal court sustaining the jurisdiction of Oklahoma to the south bank, but I am not prepared to give the citation or style of the case. I have been so informed.

Tom Testerman is of that mold; he is a sort of David Crockett, a Red River and made inquiries. Before he set foot on the south half of Red River he made an inquiry of Mr. Aynesworth, an attorney in the Greer County case, and asked him where the south boundary of Oklahoma was, and he told him it was the south bank of Red River, and advised him that the south half of the river was the property of the United States. He has since embodied that opinion in an affidavit.

Testerman did not stop there. Before he spent any money in the development of these claims he went to the tax assessor of Wichita County and inquired of him as to what was the north boundary of Wichita County—which was also the north boundary of Texas—and the assessor of Wichita County, who had been assessor for 2 years and deputy for 10 years preceding, advised him in an affidavit that under the direction of the county judge and county commissioners of Wichita County he assessed property to the south bank of Red River and no farther. He assessed the property in that county for taxation. We have here the affidavit of ex-Sheriff Hawkins, and he gave testimony to the same effect; that his jurisdiction extended to the south bank of Red River and that the jurisdiction of the officials of Cotton County, Okla., came down to the south bank of Red River.

Now, I ought to say in fairness, Mr. Chairman, that several of these men, particularly those in office, recanted when the fight waxed furious. When the election drew near they saw a light, and they changed their conscientious convictions. I say that for whatever it may be worth, and whether they were right or wrong, Mr. Chairman, in their first affidavits or in their second affidavits. Tom Testerman may have a wizard's eye in searching out the treasures of this earth, but he had no such talent in searching the minds of men and forecasting that they would revoke or renounce their oaths in the future. He could not tell that these officials, trusted by their fellow citizens, would make different affidavits in the future. When he was contemplating the development of the south half of Red River he had to go by the lights as they were shining at the time; he could not draw aside the veil of futurity.

He did not stop there, Mr. Chairman. He consulted officials in Oklahoma, he consulted officials in Texas, and he examined the method of paying taxes. But he did not stop there. He went to an official of the Federal Government and he ascertained that the Federal enforcement officer, charged with the duty of arresting those who were introducing whisky into Oklahoma—Wichita County was wet and Oklahoma was dry—would arrest them for introducing whisky into Oklahoma the moment the wheels rolled off the green grass onto the bed of Red River, and if he arrested them before the wheels rolled off the green grass he did not charge them with introduction, but with conspiracy to introduce.

I am showing you the pains Tom Testerman took not to become a trespasser upon the public lands of his country. He did not stop there. He went to a prominent attorney in our State, one who had served as a member of the supreme court commission, and he had Judge Rummons prepare an opinion as to whether or not the south half of Red River belonged to the United States, whether or not it could be acquired under the mining laws, and, if acquired, whether rights could be assigned. Judge Rummons reported to him that the lands were public lands belonging to the United States; that they were subject to the mining laws and that rights so initiated could be assigned.

Now, he had the right to act under all these circumstances, but he was not willing to do that. He took precaution; he used "extreme caution and due diligence," and he paid $1,000 for an opinion at the hands of Judge Rummons which advised him that these were Government lands and subject to the mineral laws.

But he did not stop with that. Tom Testerman knew nothing about the mining laws. I was talking with him the other day, and he said he never heard of the placer mining laws and knew nothing about them; that he had heard that when the Government owned lands that were valuable for minerals a citizen of the United States could acquire them under the laws of the land, and he took this extreme precaution. He had Judge Rummons go with him to Wichita Falls and to Red River; he had this distinguished lawyer prepare the notices, prepare the certificates of location, and advise him so that he would not sin against the laws of the land. He took those precautions, and what more could he do?

It has been intimated here that Tom Testerman, this rough-and-ready old frontiersman, ought to have investigated the case of Lenertz against Malloy. Tom Testerman never heard of that case, and if he had read it he probably would not have been able to decipher the technicalities of it. It is a sound decision; I do not challenge it, but it is inapplicable, as Colonel Roote so clearly demonstrated. I do not assent to the proposition that it was incumbent upon Tom Testerman to investigate the authorities on which Judge Rummons rested his opinion. He was not qualified to do it.

He remarked to me the other day that if Judge Rummons wanted somebody to pass judgment on a herd of cattle or a drove of mules he would probably have consulted him, but when it came to a question of law, constitutional rights, or the interpretation of statutes he was bound to be governed by others. He had no authoritative judgment of his own in the premises, but it seems to me he did all that could be required of a prudent man. He showed good faith.

I shall not embark upon an investigation of the authorities upon which Judge Rummons rested his opinion, because I can not think it

material and I can not think this man was charged with any obligation to make such an independent investigation. However, there is one point to which I might advert, and it is with respect to the claim of the Government as to the Plumb amendment, attached to the Indian appropriation bill of March 3, 1891, which declared that all the lands in Oklahoma should be declared agricultural lands and that proof of their nonmineral character should not be a condition precedent to final entry. That is relied upon to take this strip of land out of the operation of the general mining laws, because the general mining laws are universal in their terms.

The Plumb amendment was attached to the Indian appropriation bill which carried a rider opening lands to settlement in five different States and Territories, and it provided for the opening of three different reservations to settlement in Oklahoma. Section 16, to which the Plumb amendment is attached, is not only one section; it is one sentence, and this Plumb amendment is embodied in a proviso. As you know, Judge Storey said that a proviso to a statute will be strictly construed to cover only the exception intended, and that has almost been consecrated into a maxim of the law. Not only is it one sentence, but that proviso contained three distinct propositions. One fixed the price of the land and the other preserved the rights of ex-Union soldiers and sailors. Senator Plumb kicked this in on the floor of the Senate, and he told why. Judge Riter contends—and is unfortunately supported by the Supreme Court—that this agriculturalized all of Oklahoma and repealed the mining laws of Oklahoma.

Mr. DYAR. No; it did not say that; it said as the mining laws never did apply they never had to be repealed.

Mr. GORE. I believe they did say that, but they said that if this had applied it would have modified it. I believe they did say that. Now, it is a controverted question as to whether the mining laws ever applied here. They applied in the Red River in Arkansas and Louisiana, and on the Arkansas River and elsewhere; everywhere except at this particular point. Now, I do not think the Plumb amendment can be relied on, because Senator Plumb never intended that it should be. He made a speech on this amendment and he intended that it should apply to the three reservations then being opened and said so. He not only said that, but he said, "There are mineral lands in the future State of Oklahoma; there is coal, gold, silver, zinc, and lead, but in Oklahoma as it is now"—and only five counties were involved—"and as it will be when these reservations are opened there are no mineral lands, but," he said, "under the ruling of the Interior Department these homesteaders are required to file a nonmineral affidavit, and that puts an honest homesteader to no end of trouble." That was all it was intended to do, and it could only apply to agricultural lands. The south half of Red River is, perhaps, one portion of the earth's surface which never was agricultural land, certainly not in the memory of man. The Interior Department issued a circular on July 1, 1918, before these entries were made in December, showing that there was not an acre of public land in Cotton County or Tillman County, Okla., where this strip is situated. The Government did not know it owned this strip, and if it did had paid no heed to it.

My own theory is that this strip was left out through oversight. Judge Dyar has presented a theory which, I think, is more ingenious than practical—that this little strip was left there as a sort of Chinese wall between the Kiowa, Comanche, and Apache Indians and the people of Texas. Let us assume that that theory is the fact and that that strip of land would have kept them apart and that it did keep them apart. A theory that does not account for all the facts is not a sound theory, Mr. Chairman. When the Government bought this reservation from the Comanches, and when the Government opened it to settle to white men, this theory of Judge Dyar's had no application. At that time there was not any necessity for having this little strip of sand between the white people of Oklahoma and the white people of Texas. Of course, they may have had unwonted foresight and may have foreseen the controversy that arose when the rangers came down. But that theory does not account for leaving this strip out when this country was opened to settlement, and there is only one explanation which attributes reflection or judgment to the Congress, and that is that it was either an oversight—and that impeaches them on the ground of negligence—or that they expressly applied the mineral laws to this reservation down to the middle of the main stream of Red River, and Congress undoubtedly thought that the south half was already within the purview of the general mining laws and that there was no necessity of expressly saying so. Now, that gives rationality to the acts of Congress and to the legislation.

Of course, the big pasture was situated here, and that was subsequently opened, but the mining laws were not applied to that pasture, because it belonged to the Indians, all the top and all the bottom.

The Government sold it as trustee for the Indians and sold all the top and all the bottom (surface and subsurface) and gave the Indians all the proceeds. It would have been bad faith to have applied the mining laws to the Indian lands, but undoubtedly when Congress extended the mining laws to the north half of Red River they must have assumed that the mining laws applied to the south half. However, we are here with this land adjudged to be land of the United States and finally adjudged not to be subject to the mining laws; we are here with no legal rights. We are here as suppliant American citizens standing upon our equities, and I say that in no cringing sense, as you gentlemen appreciate. We stand here appealing to your consciences and to your judgments for such relief as the circumstances may warrant in the premises.

Now, then, what did Tom Testerman do after making these investigations and after obtaining the opinion of Judge Rummons that the south half of Red River was the property of the United States and subject to the mining laws? What did he do? He undertook, in accordance with Judge Rummons's advice, to locate placer mineral claims, and he surveyed the claims along the line where the green grass kisses the yellow sand. He kept off of the flood plain. He did not want to take any chances; he did not want to be a trespasser on land within the jurisdiction of Texas; he kept on land that belonged to the Government and where he thought he had a right to go or where he had the right to think he had a right to go. He surveyed his claims from the green grass on the south side, from the cut bank, which the Supreme Court decides to be the boundary. He surveyed his claims from that line to the medial line of the stream; he did not cross the thread of the stream to the north, where it belonged to the riparian owners on the north bank, and he did not cross the green grass on the south, where he thought it might belong to the State of Texas. He has four claims there of 640 acres. The eastern claim is longer north and south that the most westerly claim, because it is farther from the green grass to the thread of the stream at the east end than at the west, and he kept his claims away from the green grass on the Texas side. Was that the conduct of a reckless man? Was that the conduct of a man acting in bad faith? Was that the behavior of a trespasser? Was that the behavior of a man who was disregarding the rights of others? He was acting upon the advice of his attorney and in the light of the circumstances as he had been able to ascertain them.

Tom Testerman—and I say this because it is uncontroverted, and because I do not wish to embark on controverted points—was the first white man to go in this oil field in Red River. That is undisputed. There is no controversy about that. He went in on the 8th day of December, 1918.

The CHAIRMAN. What do you mean by saying he went in there on that date?

Mr. GORE. That is the date he staked his claims.

The CHAIRMAN. You mean located them?

Mr. GORE. Yes, sir; he located them on that date.

The CHAIRMAN. I suppose he was there before that time looking over the ground?

Mr. GORE. Yes, sir; undoubtedly he had looked over the situation and decided, I suppose, where would be the likeliest place for development. I mean that he located his claims under the placer mining laws, or attempted to, on December 8, 1918. Soon after that he became involved in a controversy with other claimants, but he did not resort to any shotgun remedies. He went into the courts of his country. In January, after he located his claims in December, he went into the district court of Cotton County and made an application for a restraining order to restrain certain other parties from trespassing upon the property he had located. The temporary order was granted in January and was made permanent in August, on the ground that the land belonged to the United States and was subject to placer mining entry. That was the judgment of the court.

He sought judicial protection; he sought judicial relief, and he stood on the judgment of the court that this was Government land and was subject to placer claims, this in addition to the other precautions, because this came on subsequent to his location. Later on he drove into the thistle brake with a caterpillar tractor and broke down the thistles and brush, spudded in in May, I believe it was, struck sand on the 13th day of August, swabbed his well on the 20th and 21st, made a trial run of the oil on the 22d day of August, 1919, went into Wichita Falls about 6 o'clock, and at 8.30 was served with an injunction issued out of the district court of Travis County, Tex., where Austin is located, enjoining him not to go on the property to do any development work or anything else. The district court of Travis County, Tex., took jurisdiction of his person, because he was in Texas, took jurisdiction of property situated outside the State of Texas, took jurisdiction of property that belonged to the United States of America, and exercised jurisdiction outside the domain of Texas, where it had no more authority than it would have had in the valley of the Nile. As I say, the trial run was made——

The CHAIRMAN (interposing). What do you mean by the trial run?

Mr. GORE. To see whether there was oil in the well. You see, he had provided a tank and made a run of the oil on the 22d day of August. He said to himself that "it was well done," and then this injunction was served. Afterward they took him to court for contempt and fined him $100 and put him in jail for violating the order of the court, which had, however, no validity, no more than it would have had in any foreign land. He was in Austin, Tex., in durance vile. His attorney phoned the attorney general of Oklahoma that a citizen of Oklahoma was imprisoned in Texas for contempt of a court that had no jurisdiction over his acts or his property. The attorney general phoned his attorney to meet him in the city of Washington; they met in Washington and made application to bring the suit, the case of Oklahoma against Texas. That is the origin of this suit, and it grew out of the unlawful imprisonment of Tom Testerman. As I say, he is a frontiersman and has braved many dangers, but he is not familiar with all these technicalities of the law.

What has happened in the course of the litigation is known to the gentlemen of the committee. I insist he acted in good faith, believing he had a right to go on the property, and he certainly did not damage the property; he revealed to the United States that it had a very large treasure there which ought to be and which will be—if not dissipated by the receiver—a source of revenue to the United States, and it ought to be a source of revenue to the man who took the chances. He did not know when he spent $25,000 in putting down one of these wells whether it would be a dry hole or not; he took the chance. Tom Testerman stands well amongst his neighbors. He collected money from 80 of his neighbors; they raised $120,000 and more to do this development work. They had faith in his character as a man; they had faith in his judgment and they made their contribution or investment, and he expended one hundred and twenty-odd thousand dollars in teaching the Government of the United States that this land was a treasure house. I will not say the land that God forgot, because He dowered it with a treasure more precious than wedges of silver, but it seems to have been land, according to Judge Dyar and the Supreme Court, that Congress forgot. However, I think Congress assumed that it was within the mineral laws, otherwise it would have applied the mineral laws to the south half of the river.

Now, gentlemen, we are not asking you to do a strange thing; we are not asking you to do anything new under the sun, and you can not go very far astray when you tread the beaten path, when the light of precedent guides you. This has often been done in the past. I need not do more than refer to it, because it has been amply referred to before, but when the Secretary of the Interior found that building stone was not subject to placer entry what did Congress do? Inspired by a spirit of justice and guided by the public policy of this country, it immediately passed a relief measure under which men who had in good faith located placer mining claims could pursue them to patent. It did not stipulate good faith, as I remember, in allowing them to pursue those claims to patent. I have read the reports in the House and the Senate, and the reason set forth in the Senate report was that these men had, in good faith, made their investments; that property rights had attached, or had been supposed to attach, and that it would work injury and injustice if Congress did not relieve those who had in good faith made these locations. There was not any hesitation about it; there was not any debate about it.

Later on, as has been suggested, it was ruled by the Secretary of the Interior that oil was not a mineral. Did Congress hesitate about relieving those men who ventured their fortunes in an effort to develop the oil lands of the West? No. Congress immediately enacted relief legislation. There was not any opposition to it; there was not any quibbling about it; and there was not any cheeseparing about it. Congress met the occasion and took care of the men who were building up this country.

When the leasing act was passed the gentlemen who sit at this board, and whose counsel contributed, may I say, to the wisdom of that measure, provided relief legislation in four sections of that act. There may have been differences as to the measure of relief, but I venture to say that in the confidences of your committee meetings there was never any dispute about granting relief to men who acted in good faith, however opinions may have differed as to the measure and character of relief.

In the Greer County case the homesteaders were protected in their claims, whether they were contested or not. That does not go to the vitals of it. The question is that a man who is in possession of a claim and who has acted in good faith ought to be relieved. And, Mr. Chairman, the pioneers, the men who made America what it is, have never appealed in vain to the Congress of their country for relief when they have acted in good faith and have been mistaken as to the technicalities of the law. The men who have made America were not versed in legal technicalities, but they have been versed in the ways and means of building up here the greatest civilization ever known. They know how to do that; they have done it in a rough and ready way, but they have never stood with one foot upon the bank of the Rubicon and debated whether or not they had a technical right, and they entered the promised land when they knew the general policy was an invitation.

Tom Testerman is of that mold; he is a sort of David Crockett, a man who, if called on, would brave any dangers and protect himself as a she tiger protects her young. Now, the men who have redeemed this country from the wilderness, the men who have subdued the forests, who have conquered the mountains, who have built for themselves a home by the side of the eagles and who have carried our flag and our institutions from the eastern to the western seas were not jurists; they were not Marshalls or Storys, but they knew how to do things, how to meet situations, how to carry forward the vanguard of civilization, and how to make America the greatest land the sun shines upon. Tom Testerman is of that mold, and I do not believe he will appeal in vain to the Congress of the United States for a reasonable measure of relief under the circumstances as they have been proven to this committee.

Now, Mr. Chairman, if there be any questions, I shall be very glad to answer them.

The CHAIRMAN. Is Mr. Testerman going to testify?

Mr. GORE. I think not; no, sir. Of course, he is at the disposal of the committee, but my own view, Mr. Chairman, was that it was really wise to keep out of this record the testimony which bears solely upon disputes between different claimants. Of course, any testimony and evidence that may be necessary to enable the committee to establish the conditions and requirements which these men should have met I think would be material, but I think the issues between the different claimants, the Burk Divide people, the Denson people, the Wyoming people, or the Sparks people, ought to be referred to a single forum.

The CHAIRMAN. What do you think about the language in section 18 of the leasing act, to which I have referred several times, the language being:

"In case of conflicting claimants for leases under this section, the Secretary of the Interior is authorized to grant leases to one or more of them, as shall be deemed just."

That language to be in lieu of the language granting priority rights.

Mr. GORE. Of course, I realize that the language you have just read is the result of a great deal of thought and research, and fixes a policy, and as far as the terms of the leasing act can apply to these circumstances, I think they ought to apply. I assume, and as far as I am concerned I have no doubt, that the claimant who shows that he has conformed to the conditions which you prescribe in this act and has complied with those conditions in good faith will have a seniority right and that such a claim will control in any decision that is made.

The CHAIRMAN. They have had cases under the oil leasing act in which they have applied this language, and I understand from the Interior Department that they give consideration to priority, although they do not make it wholly controlling, depending upon the particular equities of the case before them.

Mr. GORE. Other claimants are more concerned about the language of the bill as drawn than we are, and I have no objection to the language remaining as it is.

The CHAIRMAN. What other claims conflict with Mr. Testerman's claims?

Mr. GORE. The principal contest is on the part of those who claim on the Texas side. I think there is, perhaps, a 40-acre conflict with one of the placer claimants, but that turns not on the question of priority but on whether the lines of the congressional survey should have been extended south.

The CHAIRMAN. On what date did Mr. Testerman bring in his well?

Mr. GORE. He struck the sand on the 13th of August, although he spudded in in May, I think it was; he struck the sand on the 13th day of August.

The CHAIRMAN. When was the injunction served on him?

Mr. GORE. He swabbed his well on the 21st and made his trial run on the 22d and was served with the injunction that evening at 8.30.

The CHAIRMAN. And has not had possession since?

Mr. GORE. I think he did assert a little possession between that and the time he got into jail, or, I mean, at the time he was fined.

Mr. TESTERMAN. The Cotton County officers took charge of it on the 7th day of October under the receivership.

Mr. GORE. Then he went back on the premises, under the protection, as he thought, and authority of the court. Then he was put off by the rangers.

The CHAIRMAN. He had four claims?

Mr. GORE. Yes, sir.

The CHAIRMAN. Are they named?

Mr. GORE. Yes, sir.

The CHAIRMAN. What are their names?

Mr. GORE. The western claim is the Border Line; the next is the Tiger, then the Lucky Spot—and I might say that Lucky Spot is a misnomer—and Black Jack.

The CHAIRMAN. Are they contiguous?

Mr. GORE. Yes, sir; and they comprise 640 acres.

The CHAIRMAN. Was he putting down any other wells when the injunction was served?

Mr. TESTERMAN. When the injunction was served I had two drilling rigs run down and just completed; for the fourth well I had a derrick built, and for the fifth well I had a stand of piling built. Those five wells are on the four claims, however.

The CHAIRMAN. You were operating on each claim?

Mr. TESTERMAN. Yes, sir.

The CHAIRMAN. When the injunction was served?

Mr. TESTERMAN. Yes, sir.

The CHAIRMAN. Actually operating upon the claims?

Mr. TESTERMAN. Yes, sir.

The CHAIRMAN. How many wells did you put down altogether?

Mr. TESTERMAN. Five wells in the river bed.

The CHAIRMAN. To oil sand?

Mr. TESTERMAN. Well, I got very light sand south of that, 9 miles away. I drilled two wells, commencing one in December, 1918, and commencing the other one in January, 1919, and I completed those wells in March, 1919.

The CHAIRMAN. Were you instructed that it was necessary to be working on these claims?

Mr. TESTERMAN. Yes; I was instructed that it was necessary to put down a well on each claim. That was the instruction I received.

The CHAIRMAN. Each claim was treated as a separate unit?

Mr. TESTERMAN. Yes, sir. However, I might say that the locators of the claims assigned their rights to what we call the Mellish Association and all became interested in the association. Now, when it came to development we got into a situation where a bunch of us were not able to pay our part, so that a number of the other men put in more money, and then we made it into a joint-stock association.

The CHAIRMAN. They speak of you locating four claims; of course, you could not do that?

Mr. TESTERMAN. No.

The CHAIRMAN. And your other friends did that?

Mr. TESTERMAN. Yes, sir.

The CHAIRMAN. Senator, do you happen to know how many wells are now down in the property in question?

Mr. GORE. Do you mean in the river bed?

The CHAIRMAN. In the hands of the receiver.

Mr. TESTERMAN. I could make a guess about it.

The CHAIRMAN. Do you know, Mr. Dyar?

Mr. DYAR. Yesterday I submitted a statement from the receiver, and I believe I read it into the record, but I believe I was interrupted before I completed the full statement.

The CHAIRMAN. Will you put that into the record?

Mr. DYAR. Yes.

Mr. TESTERMAN. There are two hundred and some odd wells, I think.

The CHAIRMAN. Do you know what the present production is of the wells now in the hands of the receiver?

Mr. GORE. No; but I understand that some time ago there was a production of 600 barrels a day. That has been some months ago and undoubtedly the production has run down. The last time I consulted the receiver's report I think it showed that he had taken out something like $10,000,000 worth of oil and disposed of it, and that the expenses and disbursements have been something like $8,000,000.

Now, that brings up another point which I think is very important. It seems to me this is an emergency that should be met immediately, not merely on account of these claimants but on account of the Government itself, because under the decision of the Supreme Court this land will have to be cared for when the receiver is discharged. It is valuable property and I think the duty devolves on the Government of providing some sort of administration of it. I know of no law which would authorize its administration and certainly there is no appropriation that could be used for its development or for its administration. That being so, it seems to me it is an emergency which justifies the gentlemen of the committee in resorting to a rule for the passage of this legislation in order to protect the Government's interests.

The CHAIRMAN. What is oil now worth down there?

Mr. GORE. I understand that oil has recently advanced.

Mr. TESTERMAN. It is $2.25 at this time. There is a premium of 25 cents on oil having a gravity of 38 and above.

Mr. GORE. This is a good character of oil. There is one other point. Mr. Testerman has in this vicinity 640 acres and this bill provides for 480 acres. Now, I would like to see that raised for two reasons. First, for the very plain reason that Mr. Testerman is interested in 640 acres, and, I think, interested in a way that entitled him to relief. That is one point. The other is that the smallest maximum which has ever been fixed in any legislation, so far as I can recall, is 640 acres. You will remember that section 17 of the leasing act provides for 640 acres and section 19 provides for a much greater number, and in some instances it is practically unlimited.

Mr. LARSEN. I believe it has been stated that Senator Testerman is associated with 32 men, 8 men on each claim.

Mr. GORE. Yes.

Mr. LARSEN. That would only be 20 acres apiece for them at 640 acres.

Mr. GORE. Yes, sir.

The CHAIRMAN. Eight on each claim?

Mr. GORE. Yes, sir; eight on each claim.

The CHAIRMAN. So that each section has eight men claiming it.

Mr. GORE. Yes, sir; each claim was located by eight locators. As you know, under the placer law it is provided that no one can claim more than 20 acres, but that eight can form an association and claim as much as 160 acres and not more. As I suggested, the lowest maximum that has ever been fixed is 640 acres, so that in order to be harmonious with the existing policy of the Government I think the number of acres in this bill should be raised to 640. I might say to the gentlemen from the West that if you reduce the maximum in this instance it may come back to plague you in the future, because there are those who will say that in this instance you thought 480 acres were enough, that you had departed from the general and existing policy, and that if it were justified in this isolated case they might seek to make it the general policy. So I think as a matter of foresight and prudence it would be wise for you to adhere to the 640-acre standard.

The CHAIRMAN. Under section 14 of the leasing act they are entitled to one-fourth of the land embraced in the prospecting permit, or in any event as much as 160 acres, if there be that number of acres within the permit.

Mr. GORE. Yes, sir.

The CHAIRMAN. Of course, they were entitled to a prospecting permit on the four sections?

Mr. GORE. Yes; I believe they could get a lease on "one-fourth" and a permit on the rest, which might eventuate in a lease.

The CHAIRMAN. How much had Mr. Testerman and his associates expended on the four claims at the time the Texas injunction was served upon him?

Mr. GORE. About $120,000. I might say in this connection that they took his machinery and equipment, valued at a little over $19,000, for which he has never received one cent of compensation. They used it in drilling the other wells in the claim that he had located, and they held and enjoyed the fruits and profits from the date of seizure

until the appointment of the Federal receiver, which, I think, was from October or November until the 1st of April.

Mr. TESTERMAN. From November 7.

Mr. GORE. They drilled wells with his machinery, took the oil and enjoyed the fruits from everything they recovered.

Mr. SMITH of Idaho. Have they ever made a claim for the proceeds of the development?

Mr. GORE. No; I do not think so.

Mr. SMITH of Idaho. That operation was under the protection of the Texas courts, was it not?

Mr. GORE. Yes, sir. I may say that everybody else who put down wells and were similarly situated with Senator Testerman, with one exception, have been paid back the expenses of drilling the wells, because the Government took them over; that is, the court took them over through the receiver and made use of them. The people who put down those wells have been reimbursed in every instance except Senator Testerman. Why a discrimination was made I do not know unless it was that technically he was in contempt of this Texas court, and I suppose that the comity which obtains between courts restrained the receiver of the United States Supreme Court from reimbursing him.

Mr. SMITH of Idaho. If the title to this property was in controversy, I do not see how they could go ahead and develop it and take the proceeds of it.

Mr. TESTERMAN. There was a receiver appointed out of the Texas court and he was appointed in October, the middle of October, 1919, and on November 7 they took possession of the entire property, machinery and all, and drilled wells on the property.

Mr. SMITH of Idaho. Under the direction of the receiver?

Mr. TESTERMAN. I do not know.

Mr. GORE. Presumably under the Texas receiver.

Mr. LARSEN. What became of the funds collected by the Texas receiver? Did he turn them over to the receiver of the Federal court?

Mr. GORE. My understanding is that they were turned over to the company which was claiming the land.

Mr. LARSEN. It seems to me that when the receiver of the Federal Government took the property from the receiver of Texas that he would have transferred the property in hand and the funds in hand to the Federal receiver.

Mr. GORE. I think Congressman MCCLINTIC, of Oklahoma, will probably suggest or submit to the committee an amendment directing the United States to recover at least the royalty on account of the oil recovered.

Mr. MCCLINTIC. I incorporated the substance of that in the bill which I asked you to consider yesterday, which is designated as a recapture clause.

Mr. SMITH of Idaho. What is Mr. Testerman doing toward making a recovery of the proceeds from the property which he claims?

Mr. GORE. A motion was submitted providing for reimbursement, as in the other instances, but it was not allowed by the court. As I say, I do not know on what ground it was disallowed, because the reason of the court was not stated. However, it is my inference that it must have been because he had been enjoined and forbidden to go on this property by the Texas court. Unless it was that, I do not know.

Mr. SMITH of Idaho. What length of time was there between the injunction being served on you and the receiver of the United States being appointed?

Mr. TESTERMAN. The injunction was served on me August 22, 1919, and the receiver of the United States Government took possession April 20, 1920.

Mr. SMITH of Idaho. And during that time the persons claiming the property under the Texas law operated the property?

Mr. TESTERMAN. Yes, sir.

Mr. SMITH of Idaho. And took your machinery and all the proceeds?

Mr. TESTERMAN. Yes, sir; and drilled other wells; they drilled those wells on the property with this machinery. I might state to this committee, just for information, that it was almost impossible to secure drilling machinery there; I had a number of rigs, and they confiscated this one and drilled those wells. I was forbidden to go down on the river, under penalty that I would be jailed, and I had other rigs there.

Mr. SMITH of Idaho. It looks to me as though the court was conniving with these people to euchre you out of the proceeds.

Mr. TESTERMAN. I could not say about that, of course.

Mr. LARSEN. Where is your drilling outfit now?

Mr. TESTERMAN. The drilling outfit, as I understand, was hauled back to the site from where the Texas fellows took it and taken over by the Federal receiver.

Mr. LARSEN. If he took that over, it looks to me as though the funds would have been turned over with the property.

Mr. TESTERMAN. I do not know what the court's order was. The receiver told me that the drilling machinery was a wreck when it came back, but it was new when they took it. I drilled one well with it, and when they turned it back to the receiver I was told it was all junk stuff. Of course, I have never seen it since then. I might say, in addition to that, that the well I drilled, the one that is producing now, flowed about 200 barrels on the 22d.

The CHAIRMAN. On the 22d of what?

Mr. TESTERMAN. August, 1919.

Mr. GORE. That is the day he made the trial run.

Mr. TESTERMAN. We could not run anything from that well on account of this injunction. I went up and talked to my attorneys and they put it into the hands of an Oklahoma receiver, and he was dispossessed by the Texas authorities after that. What the well made between November 7 and April 20 I do not know, but it was turned over to the receiver of the United States as a dry hole, the report says. I made three trips to talk to Mr. Delano, and finally proposed that I would pay all the expenses if he would let me go on the well and open it. He said it was dry. I finally got some one down there to open it; I got them to clean it out, and they cleaned it out. I have a son who is permitted to go on there—and we stood around and watched them, and they took out a lot of old stuff, and after they got it out the well went to flowing, and it gave 200 barrels of oil. That was the condition of the initial well.

The CHAIRMAN. How many wells are there on the Mellish properties?

Mr. TESTERMAN. I think there are about 14.

The CHAIRMAN. The Mellish properties are yours?

Mr. TESTERMAN. Yes; there are about 14 wells and there are two or three dry holes.

Mr. GORE. He has not been allowed to go on the property.

Mr. TESTERMAN. The receiver has been very nice, and I have no complaint to make.

The CHAIRMAN. Have you any idea how much oil the receiver has produced from the Mellish properties?

Mr. TESTERMAN. No, sir; I have not.

The CHAIRMAN. An approximation of it?

Mr. TESTERMAN. No; I have not.

Mr. BURTNESS. Have you any approximate figures showing what the Texas receiver produced from the wells?

Mr. TESTERMAN. Only conflicting reports, Mr. BURTNESS. I have a very good friend who has tried to keep in touch there, and he told me the first well was making about 1,000 barrels a day when the Texas folks had it.

The CHAIRMAN. How many wells did the Texas people have in operation?

Mr. TESTERMAN. At that time?

The CHAIRMAN. When the Federal receiver took them over.

Mr. TESTERMAN. I could not tell you; but they were drilling several wells—five or six.

Mr. GORE. You see, they would not allow him to go on the property and he could not keep up with them.

Mr. BURTNESS. I would like to ask with reference to the form as well as to the dates of the assignments from the individual claimants to the Mellish Corporation?

Mr. GORE. Senator Testerman will have to furnish that information.

Mr. TESTERMAN. My attorney advised me that it was necessary to drill a well upon each claim. I drilled two wells down the river and got nothing, and after that we put the claims into an association under what they call the five-claims act. All I know is what he told me. And we assigned those claims to that association, called the Mellish Consolidated Association.

Mr. BURTNESS. Was that done before the discovery of oil?

Mr. TESTERMAN. It was done before the discovery of oil—that is, the assignment commenced before that—and we were some time in getting the parties together, who were here and yonder, you know, and I rather think some of it was done before we got oil; in fact, I know it was. But the question came up about the legality of it, and we reorganized as soon as we got oil, and we made a new assignment—that is, we assigned this to the Mellish Association for the purpose of operating under what he called the five claims act. I do not know what it was.

Mr. BURTNESS. Have you a copy of one of those assignments?

The CHAIRMAN. Did you have in mind any law regarding the assignment or any law that prohibited the assignment?

Mr. TESTERMAN. No; but he thought they could be assigned.

The CHAIRMAN. Was that after you made your discovery?

Mr. TESTERMAN. No; it was made before; I think part was made before we discovered.

Mr. DYAR. When you created this association did the original locators maintain their proportional interests in the property?

Mr. TESTERMAN. Yes, sir. But after we drilled the wells and this litigation came on, then is when we reorganized and issued it into units, because we had to have money and could not get it.

The CHAIRMAN. Did you reorganize after you discovered oil?

Mr. TESTERMAN. Yes, sir.

The CHAIRMAN. Is that the assignment you speak of when you refer to an assignment?

Mr. TESTERMAN. Yes, Mr. Chairman. They first made an assignment to the Mellish Consolidated Placer Mining Association of all of their interest in the Mellish Association. Then we drilled the wells, and when this litigation came on we reorganized so that we might issue units in lieu of those interests they had on the first organization.

Mr. GORE. I think they were under the impression that they had to put down a well on each claim and needed people to put up money, so they organized this holding company so that those who put up the most could have the most.

There are one or two verbal points which I would like to mention. After the word "citizen" I should think the words "of the United States" should be added.

The CHAIRMAN. What bill are you referring to?

Mr. GORE. The Sanders bill. And after the words "lands and oil and gas deposits" I rather think the words "belonging to the United States and" should be added. I consulted with Colonel Roote about it, but he does not think it is material, so I am not disposed to insist on it but merely suggest it for the consideration of the committee.

Mr. LARSEN. Reverting to the quantity of land, the difference between 480 acres and 640 acres, you stated the condition with reference to Mr. Testerman and his associations. Do you know whether or not the same condition exists with reference to claimants in other cases?

Mr. GORE. I could not speak generally as to the Burk Divide people.

Mr. LARSEN. Then, so far as you know, if the committee were to adopt the scheme of 640 acres, would it result in any of the claimants getting more than 20 acres per person?

Mr. GORE. I rather think it would, and I think Congress has permitted that where they need larger tracts for development, and I think they would be permitted to share accordingly.

Mr. LARSEN. It is possible you did not quite understand my question. If there were 160-acre lots and eight persons filed on the 160 acres, that would mean 20 acres to each, and my question was whether in the other cases they had as many as eight persons?

Mr. GORE. Yes, sir.

Mr. LARSEN. I am not speaking of the Testerman claims, but I am speaking of the other claims.

Mr. GORE. Yes, sir. I think the Burk Divide claims were filed in accordance with the placer mining law—eight claimants to each 160 acres—and another group was the Burk Burnett.

Mr. LARSEN. Then nobody would get more than 20 acres?

Mr. GORE. You see, it would be merged, in a sense, and 20 acres would not be allotted to one man and 20 to another, but it would result in somewhat of a community interest.

Mr. BURTNESS. So that we may have a little more definite reference to this matter in the record as to the date of the assignment, I would like to state that I find in volume 2 of the transcript of the evidence, at pages 680 to 692, inclusive, what is known as the Mellish Exhibit No. 10, and which appears to be a copy of the so-called assignment from the various claimants of the Mellish Consolidated Placer Oil Mining Association in Red River. I do not believe it is necessary to insert the document itself, because it is rather long, but the agreement is substantially this: After setting out the locations made by all of the individuals and their names, as well as the name under which they operated each claim, there is this language:

"Now, therefore, it is hereby agreed between the parties herein above named, and whose names are hereto affixed, that said mining claims above described shall be grouped into an association composed of the locators hereinbefore named, to be known as the Mellish Consolidated Placer Oil Mining Association in Red River, of which the parties hereinbefore mentioned shall be members, and their interests therein shall be in proportion to their respective interests in the claims hereinbefore

described, which interest is an undivided one-eighth in each of said placer oil mining claims above described for each of the locators thereof."

Then later in the exhibit I find this language:

"It is further agreed, by and between the parties hereto, that each of the said parties shall have a one-eightieth interest in said Mellish Consolidated Placer Oil Mining Association in Red River for each of the said placer oil mining claims of which he is a locator, to wit."

Then the names are set out, and this instrument is dated January 2, 1919.

Mr. GORE. I think the reason for that one-eightieth, Mr. Congressman, was this: They did not know but that one of the claims might be dry, and they tried to provide so that if one produced and another did not they would all participate.

Mr. BURTNESS. And it was for that purpose the adjustment was made?

Mr. GORE. Yes, sir. I think it was done as a matter of mutual protection.

Mr. BURTNESS. As I say, the instrument is dated January 2, 1919, but a great many of the acknowledgments are dated later.

Mr. GORE. That grew out of this circumstance: You must remember that there was a great rush into this oil country on the Burk Burnett and Burk Burnett extension, and there were thousands of people who rushed into those fields from the four quarters of the earth, and it was a difficult matter to get these acknowledgments after they had dispersed.

Mr. BURTNESS. I simply mentioned the fact that the signatures were apparently attached at a date later than the date of the instrument.

Mr. DRIVER. It seems to me from the language which has just been read that this was an association of these various interests for their mutual convenience and operation of the property?

Mr. GORE. Yes, sir.

Mr. DRIVER. Now, was this afterwards converted to a corporation?

Mr. GORE. No, sir.

Mr. DRIVER. It still remains an association of these placer mining locators?

Mr. GORE. Yes, sir.

Mr. BURTNESS. Under the terms of this very instrument Tom Testerman and others were appointed trustees.

Mr. DRIVER. My reason for mentioning that was to ascertain how far the limitation fixed on the acreage would affect these particular claimants. There has been some discussion here about 640 acres and 480 acres being the limit, but if the particular interests of these various claimants are transferred to this association I do not see that the limiting of the acreage would affect them particularly.

Mr. GORE. You might be correct and I rather hope you are.

Mr. BURTNESS. Still the language used here, as far as the assignment is concerned, setting out the names, and so on, goes on to provide this:

"Do hereby sell, transfer, convey, and assign to the said Mellish Consolidated Placer Oil Mining Association, all of their right, title, and interest, forever."

Mr. DRIVER. And they selected trustees to operate the property?

Mr. BURTNESS. Yes; later selecting trustees of the association to operate the properties.

Mr. GORE. I merely want to refer to the fact that Mr. Barcley stated that the bill as drawn would afford relief to Texas claimants who in good faith complied with the conditions, and I am disposed to agree with him in that conclusion. As you will remember, Judge Dyar suggested that he was not resisting legislation to lease these lands to the pioneers who went there and developed them, so that the contest seems to revolve mainly around the proceeds.

Mr. BURTNESS. The reason I mentioned this matter of the assignments was due to some statements made yesterday by Mr. Macey, which statements seemed to indicate that these assignments, in the form they are, might technically be contrary to the provisions of the placer mining act, where they were made prior to the discovery of oil. That is the reason I was interested in trying to get just what the assignments were and to determine whether they were really anything more than assignments merely for the convenience of the parties, and they seem to retain specifically in that instrument, which was executed prior to discovery, the original interest which they had.

Mr. GORE. As I recall, there was an act passed March 2, 1911, which provided that claims regularly made could not be held void on account of transfers. You know it grew out of some decision, I think, by the Supreme Court.

Colonel ROOTE. No; the land office.

The CHAIRMAN. It is contended that that refers to claims theretofore made.

Mr. GORE. It was retroactive?

The CHAIRMAN. That is the claim which is made.

Mr. GORE. Well, that raises a very interesting question and one which I would like to look into further. Gentlemen, I thank you. I will submit for the information of the committee, to be printed in the record, an amendment prepared by Congressman MCCLINTIC, which directs the recovery of royalty from those who operated the properties between the ouster of Senator Testerman and his associates and the taking over by the Federal receiver. My own judgment is that it ought to direct the Government to recover all the proceeds and not merely the royalty; that is, recover all the proceeds where they did not act in good faith and did not make discovery and do not comply with the conditions set out in the bill.

The amendment referred to follows:

"(Amendment proposed by the department with certain suggested changes.)

"S. 4197. Page 4, line 2, change period to colon, and add the following (at the end of section 4):

"*Provided*, That the Secretary of the Interior is authorized and directed to take such legal steps as may be necessary and proper, to collect from any person or persons who shall not be awarded a permit or lease under this act an amount equal to the value of all oil and gas produced by him or them from any of said lands prior to the inclusion of said property in the receivership, except oil or gas used on the property for production purposes or unavoidably lost and except other reasonable and proper allowances for the expenses of production: *Provided*, That of the amount so collected, 12½ per cent shall be reserved to the United States as royalty and the balance after deducting the expense of collection shall be paid over to the person or persons awarded permits or leases under this act, as their interests may appear."

The CHAIRMAN. Yesterday we promised to permit Colonel Roote to offer something.

Mr. GOODYKOONTZ. Mr. Speaker, under leave granted, I desire to extend my remarks on the subject of House bill 13927, entitled "A bill for the establishment of a United States industrial home for women at Mount Weather, Va."

The Government faces a critical exigency in the matter of the care of female United States prisoners. It has never had any penal institution of its own in which to incarcerate female offenders against the laws of the United States. It has been necessary to rely upon the good will of various of the States to secure accommodations in State institutions for Federal prisoners of this class. Those institutions upon which the Government has relied in the past can no longer accommodate these women. The limit of their accommodations has been reached. At present there are but two institutions which continue to receive them; one in California and the other in New Jersey. They are both small, and within a short time it is estimated they will be filled to their maximum capacity. The Government has been unable to secure additional accommodations for women prisoners in other States. A canvass, which has been conducted of the States for this purpose, has met with no success whatever.

There are at the present time approximately 350 female United States prisoners confined in various State institutions. There is a steady increase in the number of commitments by the courts of this class each year. It is estimated that the number of women prisoners has increased at least 100 per cent within the past 10 years. Not only is it necessary to provide a place of incarceration for the annual convictions, but a number of those now confined in the State institutions must be removed. Several of the States have advised the Government that they can no longer care for these women, and are insistent upon their immediate removal. The States are also gradually increasing their charge for keeping women offenders.

The need for a Federal institution in which to confine women prisoners is, therefore, immediate and insistent. In establishing such institution it has been decided to make it an industrial home rather than a penitentiary. It is proposed to confine in such home all women over 17 years of age convicted of offenses against the United States. It is the duty of the Federal Government to provide a place of confinement for its own women prisoners wherein they may have uniform treatment and be segregated into classes according to age and past criminal record. The scattering of these women prisoners among various States and subjecting them to ten or a dozen different methods of discipline is indefensible and evidences a neglect which should be immediately rectified.

To accomplish this end this bill, H. R. 13927, introduced by me, provides for the establishment of a United States industrial home for women at Mount Weather, Va. It provides that the discipline therein shall be correctional and designed to prevent the inmates from becoming hardened criminals. It provides for their education and training in occupational pursuits along the most advanced lines. The object sought to be attained will be to lead the women to regard themselves as not yet of the criminal class, and to so train them as to enable them at the expiration of their terms to reenter society trained and equipped to support themselves and live a law-abiding life.

The bill also provides for the appointment by the President of a board of advisers composed of four prominent citizens of the United States, the Attorney General, the superintendent of prisons of the Department of Justice, and the head of the home. It will be the duty of this board to take an active interest in the immediate and future welfare of the inmates, particularly with respect to their establishment in society upon their release. This is a very important feature. Prisoners have heretofore been turned loose at the expiration of their sentences without any regard to their future and poorly, if at all, equipped to earn a livelihood. This is so stupid a policy that it would not be tolerated were it not for the fact that it has a long tradition behind it. It should no longer be tolerated.

After officials of the Department of Justice visited a number of reservations now held by the Government as surplus real estate, careful consideration led to the conclusion that the abandoned weather station at Mount Weather, Va., was the most desirable of any of these properties for the following reasons:

First. For the reason that the buildings can be adapted for the incarceration of female offenders with the least outlay of funds.

Second. Its relative remoteness, reducing to a minimum the introduction of contraband, a constant source of trouble in all penal institutions.

Third. Its healthfulness. It is located on a ridge of the Blue Ridge Mountains and will be an ideal place for the recupera-

tion of those prisoners in bad health and those who have been taken off the drug habit.

Fourth. Its proximity to Washington will result in giving it the benefit of many various advantages offered by Government agencies and activities, such as the Bureau of Education, in the training and teaching of the inmates; the Public Health Service, in matters of health and hygiene; and the Department of Agriculture, in its farming and dairying activities.

Fifth. While not geographically in the middle of the country, it is centrally located in relation to the sections from which come most of the female offenders.

It is estimated by the Office of the Supervising Architect of the Treasury that it will cost about $76,000 to adapt the present buildings at Mount Weather for use as an industrial home for women. It is estimated by the prison authorities of the Department of Justice that the annual cost of the maintenance of the institution will be about $130,000. There should be offset against this figure, however, approximately $95,000 annually which it now costs the Government to maintain its women prisoners in State institutions, which sum it will no longer be necessary to pay if the Government has an institution of its own to which the above-mentioned class may be transferred.

Briefly, an urgent emergency exists. The need of providing for the proposed institution is imperative. No other solution of the problem of providing a place of confinement for women is practicable. There is no place for them now, and no other way in which they may be cared for. The seriousness of the matter is apparent. Unless a place be provided, the Government soon will be in the anomalous and embarrassing position of convicting offenders against the laws without any place whatever in which to incarcerate them.

WOMEN PRISONERS NEGLECTED.

The Government for its male offenders has long since provided modern institutions for confinement at Fort Leavenworth and Atlanta, but has been sadly negligent of its female offenders. These have been handed over to the States, where they have received treatment ranging from good to bad. If the State prison authorities saw fit to put the unfortunate women in stripes upon a bread and water diet or to apply to her bare back the scorpion lash of the cat-o'-nine-tails, that was the State's business. How unjust it would seem for a sovereign to cause a subject—especially a woman—to be indicted, tried, and convicted for an infraction of law and then to delegate to another the full power of applying punishment, and without concern for the reformation, education, or future of the convict.

I do not hesitate to say that the conduct of the Federal Government toward its women prisoners is a national disgrace.

MOUNT WEATHER.

The land was purchased in 1902 and buildings constructed later for the purpose of establishing an aerological and meteorological observatory and laboratory for the study of the upper air and solar radiation and magnetic observations.

Mount Weather, Va., is the name given a group of buildings erected by the Weather Bureau for special aerial and research work on top of the Blue Ridge Mountains in Loudoun and Clarke Counties, about 20 miles south of Harpers Ferry and 47 miles in a direct line west of Washington. It is 6 miles south of Bluemont, Va., the nearest railroad station and present terminus of the Washington & Old Dominion (suburban electric) Railroad line. The grounds have an area of 84.81 acres, are roughly square in outline, lying on both sides of the ridge, the top of which is 1,725 feet above sea level.

It overlooks to the west the entire Shenandoah Valley from Strasburg to Harpers Ferry, and to the east all that portion of Piedmont (Va.) Valley between the Blue Ridge and the Bull Run Mountains.

The grounds are inclosed by a stone wall and wire fence.

BUILDINGS AND IMPROVEMENTS.

Administration and observatory building: Erected, 1909; brick, tile, and concrete; three stories and cellar; 18 rooms.

Machine shop: Erected, 1904; two-story frame and stone building; eight rooms.

Central heating and power plant: Erected, 1909; one-story stone building; boilers and electrical equipment sufficient for supplying heat, light, and power for the entire plant.

"Absolute" and "variation" buildings (for terrestrial magnetic work): Erected, 1906; two 2-story frame buildings, used in connection with investigations in terrestrial magnetism; cellar under each. The walls are about 4 feet thick, of double construction, packed with sawdust to secure constant temperature conditions within.

Stables: One 2-story frame and stone stable and one 2-story frame stable.

Farm cottage for dwelling purposes: Erected, 1905; a two-story frame building; nine rooms.

Physical laboratory: Erected, 1909; three-story stone building; 16 rooms.

Cottage for dwelling: Erected, 1909; three-story frame building; 15 rooms.

Reel house and kite shelter: A circular frame building 9 feet in diameter.

A 108-foot tubular well supplies all buildings with good water from an elevated water tank having a capacity of 14,000 gallons, filled from pump operated by an electric motor.

All the buildings have been erected and improvements made in the best and most substantial manner possible, and the property as it now stands represents an actual cost value to the Government of about $200,000.

Mr. C. C. Clark, of the Weather Bureau, testifying before the House Committee on Agriculture, June, 1921, when those interested in providing industrial training for soldiers were trying to induce congressional action in that behalf, said:

Mr. CLARK. We built, I think, eight buildings on the land and operated them as observatory and administration buildings, heating plant, and other smaller structures. We are now caring for them with custodians and maintaining and protecting them as best we can with the limited funds at our disposal. This is a map just drafted showing the contour lines and the location of the buildings.

Mr. THOMPSON. What was the cost of those buildings?

Mr. CLARK. $209,000, approximately, was the original cost of the land and improvements.

Mr. KINCHELOE. Are they leased or abandoned or are you receiving any revenue from them?

Mr. CLARK. They are not now occupied or being used. We are now maintaining them and caring for them as custodian, to preserve them as Government property. We have two custodians there.

Mr. KINCHELOE. But they are not occupied?

Mr. CLARK. They are unoccupied.

Mr. KINCHELOE. And there is no financial revenue accruing to the Government?

Mr. CLARK. No, sir.

The buildings, on account of increased cost in labor and materials, likely could not be reproduced now for less than double their original cost.

The Government experts who have examined the property find it ideally located for and the principal buildings well adapted to the purpose outlined in the bill.

EFFORT TO SECURE THE PASSAGE OF THE BILL HAS PROVED UNAVAILING.

Those testifying or urgently insisting upon the passage of the bill were Hon. John W. H. Crim, Assistant Attorney General; Mr. Heber H. Votaw, Superintendent of Prisons; Mrs. Fannie French Morse, executive head of the National Training School for Girls, with a long experience in prison work; Mrs. Mabel Walker Willebrandt, Assistant Attorney General; and Mrs. Lenna Yost, legislative agent of the Women's National Christian Temperance Union.

In addition to these, many men and women, some resident in Virginia and others elsewhere, have given the measure their full support.

It is understood that the President indicated to those in commanding position—to the majority leader, I understand—in the House the need for favorable action on the bill.

The Speaker could not see his way clear to recognize a Member to move for a suspension of the rules, nor would the Rules Committee grant a rule making the consideration of the bill in order, so the bill, notwithstanding it had received a favorable report from the Committee on the Judiciary, was allowed to die on the calendar.

OPPOSITION TO THE BILL.

The main opposition to the bill came from some folk who have built summer cottages located from 3 to 6 miles from Mount Weather. I understand that these cottagers, or most of them, reside in the city of Washington and only spend a little of their time—during the hot season—at or near Mount Weather.

It remains to be seen if the Government, with its large investment in valuable property at Mount Weather, with its vast need for a home for its women prisoners, with its earnest appeal voiced by the Executive and the Department of Justice addressed to the Congress, is to be thwarted and the efforts of its duly constituted officials rendered nil by a half dozen city folk who seem to have persuaded certain of our legislators that an altitude of 1,725 feet above sea level is entirely too cold a place for women prisoners. It is pertinent for me to suggest that Bluefield, a city of 20,000 people in my district, is located more than 2,000 feet above sea level. Without taking the time to look the matter up, I should think that the city of Denver was at least 5,000 feet above sea level.

The women of the country are justly aroused and indignant concerning the fate of the bill in the Sixty-seventh Congress.

We confidently hope that the next Congress will allow the bill to pass. In fact, we do not doubt that the Members of the

Sixty-eighth Congress will act promptly and favorably upon the proposition.

Certain designing persons, as I am informed by an official of the Government, have conceived the idea of buying this property from the Government for about $25,000, notwithstanding the present value of the land and the cost of reproducing the buildings would approximate one-half a million dollars.

I am informed that some of the same people who now oppose the use of the property for an industrial home for women also opposed the use of it for a home for soldiers.

Unless the Government shall be allowed to use this property for some of its purposes, then it would be better to sell it for $25,000, for the cost of upkeep and caretakers is considerable.

The fact that the Federal Government in all the years of its existence has never established an institution for the safekeeping, the education, and the reformation of women committed for infractions of penal statutes is to my mind most remarkable.

Just why the Government should have overlooked or neglected this patent obligation to the unfortunate women sentenced by the law to imprisonment is more than I can understand.

Ample accommodation at Fort Leavenworth and Atlanta for men has long since been provided. These penitentiaries are conducted along the lines of modern thought of students of penology, to the end that the convict be helped to improve himself mentally, morally, and physically, so that when he or she shall have "fulfilled the law's demands" the individual may go out into the world not only a better person but better able to fight the battles of life.

Exercise of the power to imprison carries with it the corollary obligation of superintending that imprisonment—of seeing to it that the incarceration is not only not inhuman but that the unhappy person shall in every possible way be fortified for the struggle to rehabilitate himself in society.

The Government ought not to shirk the duty I have already mentioned, especially as concerns its women prisoners. There is a nation-wide demand from the people—especially the good women—of the land for the passage of this bill, and they are not in a humor to tolerate delay.

The 84 acres of land and the buildings on it which the Government owns, situate on Mount Weather, cost about $215,000, and it would hardly be fair to the Government not to allow it to use this land lawfully acquired and buildings constructed before the summer cottages were built.

There can be but little doubt that the next Congress will promptly pass the bill.

Mr. FORDNEY. Mr. Speaker and gentlemen of the House, I thank you for this opportunity to present to you a statement of the results of our new tariff law.

To-day I want to call attention to the wave of business activity and prosperity that is now upon this Nation, and in doing so I state very definitely that this prosperity is not the result of world-wide conditions nor is it mere coincidence. It has been stimulated by the enactment of needed tariff legislation and is brought to us in spite of adverse conditions existing elsewhere throughout the world.

In 1913 when the Underwood bill was in course of enactment we listened to the glowing predictions of the friends of free trade; they passed their tariff bill that fall and during the winter that followed we watched those glowing predictions go astray. They promised us increased export trade, but our exports declined; they promised us increased prosperity, but realization came in the form of bread lines and unemployment. We read newspaper accounts of the 4,000,000 unemployed and how the crowds storming the gates of Ford's factory were dispersed with the fire hose.

During the past year, while the new law was under consideration, we have heard the free-trade predictions of calamity, and we have prosperity. They have predicted an abrupt end to our foreign trade, but our foreign trade has increased. Instead of reading of unemployment, the press tells us of labor shortage. As a patriotic duty and with all the earnestness in me, I urge upon all of you to consider the times. Why turn back again when the avenues to prosperity are so clearly indicated?

There is a menace to our national welfare that I would like to emphasize at this opportune time. The menace to which I refer has caused financial losses, suffering, and want in a measure too great to estimate. This menace, my friends, is the susceptibility of a considerable portion of our people to the pleasant but utterly fallacious argument that conditions can be created whereby everything we want to sell can be sold at a high price and everything we want to buy can be bought at a low price. May this dangerous but pleasant sounding contention, which is so impossible of fulfillment, never again lead this Nation from the road of prosperity.

Business depression and lack of purchasing power go hand in hand, and with them come declining values, low wages, business failures, and unemployment. And we find with prosperity increased purchasing power, increased values, high wages, abundance of employment, and business activity and success.

We are well off when we can purchase what we want, and what better evidence is there of the Nation's ability to purchase than actual increases of purchases? What better evidence of the ability of our people to have homes than the fact that the building of homes is increasing by leaps and bounds? What better evidence can there be of the ability of our people to ride in automobiles than the fact that more automobiles are being built and sold than ever before? The Department of Agriculture reports recently issued showed an increase in the consumption of meat in the United States of over 600,000,000 pounds in 1922 as compared with 1921—what better evidence of the ability of Americans to purchase meat? The Washington Post of January 30 reports that a survey of 77 per cent of savings institutions shows an increase in savings accounts during the last year of $500,000,000—what better evidence can there be of our ability to provide for the future? The Post Office Department announces that in the six months ending December 31 last a billion more stamps were issued than during the corresponding six months one year previous, and as a result of the increasing demand for stamps the reserve supply has fallen to 200,000,000 below what is estimated as a safe margin. This is a barometer of prosperity. The Washington Post of January 28, quoting from reports of the Department of Commerce, shows that the record retail sales of the month of December are being maintained in January.

During the past few years some faulty international free-trade argument has found surprisingly fertile soil in the minds of many of our bankers of prominence. They have led especially in the large cities in predicting calamity as the result of increase of tariff rates, but even upon the unwilling prosperity has been thrust. A few days ago my attention fell upon the following headline in the morning paper, "Boom in industry reflected in banks," and below this heading is the report of the Comptroller of the Currency, showing an increase in the resources of the banks of the country of $2,031,215,000 during the year just ended.

In the spring of 1921 a depression of major magnitude seemed imminent. Farmers were especially hard hit and their inability to purchase caused serious losses to retailers and manufacturers. In May the emergency tariff act was passed. It was hastily enacted and a makeshift, but it stemmed the tide. The indications of better times, however, were soon in evidence—increased purchases of agriculturists helped other lines of trade. It marked the beginning of business revival, and since then business improvement has been constant and certain. In September, 1922, a tariff law, carefully studied out, was passed to take the place of the incomplete emergency act. It protected not only the product of the farm but also the product of the factory. The new law has now been in force for five months; they have been months of progress. Increases in building and in the consumption of food and clothing tell us the American people are better clothed, better fed, and that housing conditions are improving.

Since the war a new antiprotection argument has been concocted. It is as faulty as the rest. It is a susceptible sounding contention that we can not sell unless we buy from Europe; that free trade will aid Europe and thus aid us; and that Europe must pay her debt to us in goods. Analyze it. We find only the old proposal to surrender American markets to the product of lowly paid labor of other countries. The ultimate consequences of such a policy would neither be a help to Europe nor a help to ourselves. It would bring upon us a period of depression; and let me sound the warning that any policy that will bring business stagnation to the United States will only tend to add to the world's burdens. On the other hand, prosperity in America will reflect itself in Europe and place us in a position to help Europe. We can best aid Europe by seeing to it that all in America are well employed at high wages, for then America will be the best market in the world for foreign as well as domestic products. You have heard prophecies that high tariff rates will stop importations, but since the tariff law our importations have actually increased. That is evidence that when the purchasing power of America is high other countries find a ready market in the United States, and that it is our ability to purchase rather than tariff rates that influences our import trade.

Without stating causes or drawing conclusions, let me place before you a contrast as food for thought. In the United States last year the consumption of sugar was 102 pounds per capita, while in Russia the consumption of sugar was but 5 pounds per capita. This unvarnished statement should cause a

person to think in the right direction. What a poor market is the country without industry and production.

When other arguments fail, the free trader talks of finding a market for our surplus production. They ask what will happen when our production exceeds domestic consumption. In reply, I would ask, When do we have surpluses? We have surpluses, my friends, when people right here in United States have their purchasing power diminished; we have surpluses when Americans are unemployed in the periods of business depression. During times of prosperity this question of surplus production is eliminated. In the final analysis the market for the world's production is only the world. If one nation so shapes its policies that its production far exceeds its consumption, it compels some other nation to consume more than it produces. With proper national policies, production in America will greatly increase, and with it will come increased consumption. Why talk of a surplus production in America while there is so much room for better homes, better schools, better streets, and highways, and public buildings? To me increased production means increased earnings—not necessarily measured in dollars but in the comforts and enjoyments of life, and the time has not yet arrived when the American people have all the comforts, improvements, and advantages to which they are entitled. They can consume much more than at present of the product of effort in America. The consuming power of our people is almost without limit. Certainly labor in America can profitably be employed in caring for domestic needs without serious problems arising in connection with the disposal of surplus production.

There are two ways of increasing income-tax receipts—the first, and the unpleasant way, is to increase the rate of taxation; the second, and very pleasant way, is to increase incomes. We are about to witness the results of the second method. Earnings in the year 1922, as compared with the year 1921, were increased and will be reflected in the income-tax installment to be paid into the Treasury on March 15. I predict a substantial increase with confidence. It will balance our budget and place us on the right side of the ledger, and in no small measure is the tariff the cause. Of all tariff laws the emergency act and the more recent permanent act are revenue producers, direct and indirect, surpassing all expectations.

Customs receipts for the current fiscal year were first set at $350,000,000; they were later increased to $375,000,000, $400,000,000, then $410,000,000, then increased to $440,000,000 and to $450,000,000; recently it was estimated that they would reach $480,000,000, and now it appears that customs receipts will certainly exceed $500,000,000, and may possibly reach the sum of $530,000,000. Add to this, my Democratic friends, the increase in income-tax receipts that will surely come from increased incomes, and you will have the results, from the standpoint of revenue, of a truly revenue-producing tariff law.

Mr. CHRISTOPHERSON. Mr. Speaker, three different legislative bodies of the State of South Dakota have memorialized Congress for legislation to stabilize the price of farm products. The dire distress that the farmers have encountered during the last three years is well known, and it is contended by many who are thoroughly familiar with agricultural conditions that if the present condition continues it will cause the farmer to abandon agricultural pursuits and encourage him to move to the cities and enter into competition with labor in those localities. Certainly under present conditions there is no inducement for a young man to engage in agricultural pursuits.

The plan of stabilizing the price of farm products has been before the Sixty-sixth and Sixty-seventh Congresses and lengthy hearings thereon have been held, and during the last session of the Sixty-seventh Congress the Agricultural Committee of the House reported favorably H. R. 7735, introduced by me and which embodies a plan for stabilizing the price of farm commodities. However, in the closing days of the session it was impossible to secure consideration of the measure.

While the bill reported is to some extent a departure from former policies of the Government, the plan is not as drastic as some would have us believe. The bill in question only asks the Government to say to the farmers that it will buy their surplus at a price that will assure them a return of cost of production and a slight profit. But if this proposition as relates to agriculture seems to be a departure, why not try it for, say, two or three years? Certainly the Government could afford to make a trial of this plan for a few years in order to rehabilitate and reestablish this, the basic industry of our land, on a paying basis.

Put agriculture back on a prosperous basis, restore the farmer's purchasing power, and see how quickly it will be reflected in the stimulated demand upon the industrial and manufacturing centers. We are passing through a crisis, and it may be that after a few years this law would not be necessary, but for the present the farmer is in a critical situation. He has been suffering loss, and I think, in view of the conditions, we are justified in taking unusual steps to alleviate the situation.

The present Legislature of South Dakota, being the third time the legislative body of that State has memorialized Congress on this subject, adopted a resolution urging legislation to stabilize the price of farm products.

The resolution is as follows:

A concurrent resolution proposing and recommending the creating by act of Congress of a corporation for the stabilizing of markets for agricultural products.

Be it resolved by the House of Representatives of the State of South Dakota (the Senate concurring)—

Whereas special privileges and opportunities afforded by Federal law have unbalanced the markets and virtually repealed the law of supply and demand; and

Whereas the present marketing system for agricultural products is entirely in the hands of interests antagonistic to the welfare of the producer and the consumer; and

Whereas such conditions are so detrimental to the national progress and prosperity of the agricultural industry that the same has been forced into virtual bankruptcy and has entailed great distress upon farming population: Be it

Resolved by the House of Representatives of the State of South Dakota (the Senate concurring), That the Congress of the United States is urgently requested to promptly enact legislation which will provide for a practical marketing medium, and indorse thereof the following plan:

That by a special enactment of Congress a corporation be formed, authorized, and empowered to equip itself with necessary facilities for storage and marketing of agricultural products; that the said corporation be capitalized with a sufficient fund to provide the necessary facilities as above set out, including warehouses, elevators, and storage facilities, together with a fund sufficiently large to cover operating expenses until such time as the profits from the operation of the corporation shall be sufficient to take care of the same.

That the said corporation shall be authorized and empowered to issue, in exchange for agricultural commodities received, in storage or for transfer, negotiable currency issued against the actual commodities received, said currency to be issued to the producer as the agricultural commodities are received by the said corporation and retired by the said corporation in equal amounts as the said commodities in hand are delivered back to consuming trade or to foreign markets.

The said corporation to consist of a body of directors not to exceed seven members, the Secretary of Agriculture acting as an advisory member; the said directors to be appointed by the President, with the advice and consent of the Senate, and to be chosen from each of the districts into which the agricultural portions through which this corporation shall operate shall be divided, each director being the active head of the district from which he is chosen.

It shall be the duty of the board of directors, through and with the advice of the Secretary of Agriculture, to arrive at a basic price of each agricultural commodity at such time of the year when such price can be the most accurately arrived at.

The basis for such price to be arrived at by the actual supply and demand as shown by the Federal crop statistics.

That from the basic price there shall be a graduated scale, rising from month to month throughout the year, to allow for the actual cost of shrinkage, storage, and loss for handling grain.

That the agricultural portion of the United States shall be divided into the districts above named with a view to including in each district that territory tributary to and delivering to certain central markets, with a view to including in each territory those districts the most accessible to those markets and geographically so located as to be easily controlled from the district headquarters.

That the said corporation shall be empowered to receive at all times all agricultural commodities produced within the United States not perishable, and to sell such commodities to all consuming trade, either domestic or foreign.

That said corporation shall, during the first year of its operation, purchase and hold in permanent reserve an amount of all agricultural products which can practicably be kept in storage and which are a part of our export trade equal to 10 per cent of the average annual national production of such products; that in the discretion of the board of directors the said reserve may be increased not to exceed 20 per cent of the average annual national production of said products, but that not to exceed 10 per cent of said production shall be placed in said reserve during any one calendar year, and such reserve shall be drawn upon only when the commercial demand therefor becomes excessive; any depletion of such reserve shall be made up from the yield of the next year warranting the same, the purpose being to always, so far as practical, keep an ample reserve of such products.

That the secretary of state transmit this memorial to both Houses of Congress and to South Dakota's delegations therein.

CARL GUNDERSON,
President of the Senate.
A. B. BLAKE,
Secretary of the Senate.
E. O. FRESCOLN,
Speaker of the House.
WRIGHT TARBELL,
Chief Clerk.

Mr. SINCLAIR. Mr. Speaker, I desire to extend my remarks by inserting in the RECORD a short history of the Battle of the Killdeer Mountain, fought in western North Dakota. The story of the battle was written by Col. Clement A. Lounsberry, a veteran of the Civil War, and one of the pioneers of the State of North Dakota. In giving us this story he has performed a distinct service by furnishing an accurate account of one of the events in connection with the opening up of the great Northwest by General Custer and his followers. Colonel Lounsberry was the first editor in North Dakota, and in a

long and useful life took part in and depicted many of the events that marked the changes and development of the country from a wild western frontier to one of the foremost States of the Union. He also rendered distinguished service in the Civil War and still carries the marks of the wounds received there. It is desired by Colonel Lounsberry and the people of western North Dakota that the historic site of the Battle of Killdeer Mountain be preserved to the Nation, and for that purpose I have introduced a bill in Congress providing for the establishment of a national park on that location. Following is the account of the battle:

THE BATTLE OF KILLDEER MOUNTAIN.

The Battle of Killdeer Mountain, which it is proposed to commemorate by the creation of the Killdeer Mountain National Park, was the closing incident of the Sioux Indian uprising, beginning near Acton, Minn., August 17, 1862, resulting in the destruction of the Yellow Medicine and Redwood Indian agencies, the attack upon New Ulm, siege of Fort Ridgeley, and the battle at Woodlake September 23, 1862, where 270 captives were surrendered. During this brief period 644 citizens had lost their lives, 93 soldiers had been killed in battle, 270 citizens had been carried away captive, and many soldiers and citizens wounded; Sioux Falls had been burned, and a vast extent of territory in Minnesota and Dakota devastated, the loss of crops and destruction of homes aggregating millions of dollars in value.

The captives in the hands of the Indians were tortured in every conceivable manner, in many instances too horrible to mention, until death brought relief; the wounded were beaten with muskets and hacked with tomahawks, bodies of the dead mutilated or filled with arrows. Women and children, wounded and bleeding, fled to the forests, where in some instances they wandered for weeks before they could be found and given aid, many of them being crazed by their sufferings, fleeing in terror from approaching relief.

Four hundred and twenty-five Indians were tried by court-martial, 320 convicted, 303 sentenced to death, 38 hanged at Mankato at one time and 2 later, 2 hanged at Fort Snelling, 1 pardoned and 3 released after three years' imprisonment, and the sentence of others commuted. Little Crow, the leader, fled to Canada, but returned July 3, 1863, and was killed by a settler.

The uprising was followed by three expeditions—one under Gen. Henry H. Sibley, in 1863; one under Gen. Alfred H. Sully, the same year; and another by General Sully in 1864.

The Indians driven out of Minnesota by the two expeditions of the previous year were concentrated on the plains of Dakota. They were raiding the settlements in eastern Dakota, western Minnesota, and northern Nebraska; attacking transportation on the Missouri River, serious because of the gold discoveries in Montana and the large immigration heading across Dakota for Montana and Idaho, and the need of Army transportation.

General Sully established his supply depot on the Missouri River at Fort Rice, July 3, 1864. He had first encountered the Indians at the mouth of the Cheyenne, where Captain Fielding, of the topographical engineers, was killed. July 18 he left Fort Rice and proceeded west; at Heart River, in the vicinity of Dickinson, he corralled an immigrant train which he had relieved from the Indians and left some of his heavier supplies, guarded by a part of his force, and proceeded to the Knife River, where he attacked a large force of Indians reported by his scouts.

Pursuing the fleeing Indians at Killdeer Mountain on the 28th he encountered a force estimated by him at 1,600 lodges, representing 5,000 to 6,000 warriors. The Indians were expecting him and were ready for the fray. They were so well posted and their confidence so great that they did not take down their lodges, but commenced circling around his command, each time drawing nearer until they were within 200 yards, when fire was opened on them and many saddles emptied; they then drew off to a greater distance pursued by the Cavalry. Now thoroughly alarmed, the Indians were trying to save their women and children.

The troops opened on them with artillery, the attack being supported by 11 companies of the Sixth Iowa Cavalry, 3 of the Seventh Iowa, 2 of Dakota Cavalry, 4 of Brackett's Minnesota Battalion, 10 of the Eighth Minnesota Mounted Infantry, 6 of the Second Minnesota Cavalry, Jones's Battery, Pope's Battery, two sections of the Third Minnesota Battery, and 70 scouts, the whole force numbering 2,200.

The attack was made in front, the Indians attempting to flank Sully on the left and then on the right and rear, the battle line extending in a circle of about 3 miles. The Indians attempted counterattacks but were repulsed at every point. Major Brackett made a furious attack which they countered, and many Indians were killed, their counterattack being repelled by the aid of Jones's Battery. Being reinforced the Indians made a heavy attack in the rear, which was also dispersed by the same guns.

Sully closed upon their main camp and put them to flight, the artillery driving them out of their strong position in the ravines and on the hills, the cavalry pursuing. The battle lasted all day, and by sunset there were no Indians in sight, and the troops slept on the battle field.

Colonel McLaren was detailed next day to destroy the large amount of property the Indians had left. He gathered into heaps and burned at least 40 tons of dried buffalo meat packed in buffalo skins, great quantities of dried berries, tanned buffalo, elk, and antelope hides, brass and copper kettles, mess pans, and so forth; saddles, travois, and lodge poles. The woods were burned in order to make the destruction complete.

The loss of the Indians was very large, many dead being left on the field. Sully's loss was 5 killed and 10 wounded.

Capt. Nelson Miner, of the Dakota Cavalry, relates that, being hard pressed at one point, he dismounted, and in the fight forgot all about his horse, but when the battle was over his horse was by his side, having followed him wherever he went.

LOCATION OF THE KILLDEER MOUNTAIN BATTLE FIELD.

The ground on which the battle of Killdeer Mountain was fought is now described as sections 8, 9, 10, 11, 12, 15, 16, 17, 20, 21, 22, 29, 30, 31, 32, and north ½ sections 27 and 28, township 146 north, range 96 west, 5th principal meridian, in Dunn County, N. Dak.

The curator of the North Dakota Historical Society, H. C. Fish, in 1915 visited the Killdeer Mountain battle field in company with S. S. Campbell, of Sentinel Butte, N. Dak., who was sergeant in Sully's command.

The trip was unique, for after 46 years Mr. Campbell expected to point out the place of the battle between Sully and the Sioux. What helped to keep the scene so vivid was the constant reading of his old diary which he kept in 1864 during the whole of the Sully campaign. Many of the old troopers for years after the trying march wrote to Mr. Campbell and wanted to know when and where different events occurred. Mr. Campbell at once recognized the lay of the land, and when they went out to the south of the spring said: "This looks just like the old Indian camp; if it is, there is a dry coulee just over there to the south." The dry coulee was found, when Mr. Campbell continued:

"On this broad, open space south of the old spring 1,600 Indian tepees were arranged." Mr. Campbell said that they camped the first night after the battle just west of the Indian camp. The thickest of the battle occurred on the ranch of John Ross, where the Indians made the last stand before their camp was taken. The camp of the second night was at the spring on the old Craig ranch, some 8 miles east of the battle grounds.

The course of events taken from Mr. Campbell's diary is interesting. They started from Sioux City Tuesday, May 31, 1864, and gradually made their way up the Missouri to Fort Rice, and then across country to the Indian hunting grounds. On July 25 the whole army of Sully corralled their extra horses and teams some place 15 or 20 miles south of Dickinson.

"There were also 50 teams of emigrants bound for Idaho who were going along under the protection of the Army. After the corral was established the troopers took nine days' rations for a rapid march into the Indian country. On July 26 the Army marched 1 mile and grazed their horses till 2 o'clock. Then scouts reported that they had a skirmish with the Indians. Mr. Campbell's battalion was put on double quick for 19 miles. July 27 the Army marched 20 miles and grazed their horses, and then marched 10 miles and camped on Knife River. The day of the battle, July 28, the Army marched 12 miles before light and grazed their horses and took breakfast. After breakfast they went 4 miles and met the main body of the Indians.

"The Army formed a line of battle and for 9 miles there was a running fight. This started at 9 o'clock in the morning and lasted all day long, the right battalion fighting the Indians hand to hand. Many of the Indians had only war clubs and bows and arrows and very primitive guns, but from behind every rock and group of trees the arrows showered upon the troopers. At one time a very large force of the Indians came in from the rear and attempted to capture the battery of 12 cannon. They made their way with all the fiendish glee they could muster, but they did not reckon on the gunners. They made their way along until the Indians were within 200 yards of the battery, and then let two charges go. This made an awful swath in their ranks,

and the Indians turned like a pack of frightened sheep before the onslaught of wolves and fled, followed by a terrific saber charge by the troopers. This stand was the turning point in the battle. From this time on the soldiers had the Indians on the run for the hills and the saber was exchanged for the revolver. They soon had the Indians over the hills among the brakes. That night under the silent skies the dead were buried on the camping grounds, and horses were picketed over the grave to destroy all signs of the place.

"The next morning, Friday, July 29, the soldiers tried to follow the Indians, but they could not do it with success because of the breakback of the hills. The Army turned back, and in the dry coulee south of the Indian camp tons of meat, both jerked and pemmican, 1,600 tents, poles, clothing, and blankets were burned.

"That afternoon the Army marched 8 miles east to the spring at the old Craig Ranch. Just as the dusk was creeping over the Army 600 Indians drove fiercely through the camp and tried to stampede the horses. The two outer guards were killed, but other than this not a shot was fired or a person hurt. It created a great deal of excitement for a time, but the night brought on nothing of importance. This night was vivid in the memory of Mr. Campbell. He well remembers looking toward the battle grounds many times and seeing the constant light of the torches in the long night search for the dead and wounded or for some things hidden in the flight.

"During the next two days the Army made their way back 67 miles to the corrals. In the battle at the Killdeers, or, as the Indians call it, 'Ta-ha-kouty,' or the 'place where they kill the deer,' some 2,200 soldiers were actively engaged against 5,000 or 6,000 Indians. Sully reported some 150 of the Indians and 5 soldiers killed.

"From this battle ground up to Yellowstone and back to Fort Rice the Indians kept at their heels, and the Army had to be on their guard constantly."

BATTLE OF THE LITTLE MISSOURI, OR "WHERE THE HILLS LOOK AT EACH OTHER."

After his return to his camp on the Heart River, on his way to the Yellowstone, this battle occurred. In order to reach a pass through the Bad Lands known to one of his Yankton Indian guides, General Sully August 5 camped at what is now Medora, in the Bad Lands, "where the hills look at each other." In order to pass through the Bad Lands it became necessary to cut into the hillsides at many points.

The Indians attacked the camp from the hills that evening, and at one point cut off some of the horses, which, however, were recaptured; the next day the working parties were attacked several times. The immigrant train, having women and children and moved by oxen, impeded the march and lengthened the column to 3 or 4 miles, making it necessary to double up for protection, and yet in the Bad Lands at many points they could only pass in single file. The danger to the immigrants added to the difficulties of the situation and to the anxieties of the general. On the 6th every butte (hill) was covered with Indians. Some of the buttes were 300 feet in height, others sharp pointed, and almost touched, as well as looked at each other; some were low, others mere banks of burnt clay or scoria, as good for defense as those built for that purpose; while others resembled chimneys or other ruins of a burned city, for they had been formed by burning coal mines and the erosion which followed. It was necessary to climb up steep hillsides, plunge down into deep gullies, pass through wooden ravines, crawl along narrow gorges, sometimes in the beds of dry streams, and without water that hot day in August until late in the afternoon, when they reached a small lake and springs where the Indians had concentrated in an effort to keep them from water. There was fighting almost every step of the way, but the Indians, wary from the battle of July 28, had little heart for close-range fighting. At the lake and springs the encounter was sharp, but the Indians again fled. They lost very heavily in the 10-mile battle in these Bad Lands of the Little Missouri, estimated by Sully at 150 and by other officers as high as 300.

As Sully moved forward the next morning he encountered about 1,000 Indians. The skirmishes were frequent, but when they reached the open country they saw a cloud of dust made by fleeing Indians about 6 miles away, and that was the last seen of them for several days. He escorted the immigrants to the Yellowstone and returned down the Missouri, establishing a line of military posts on that stream.

CLEMENT A. LOUNSBERRY.

Mr. HERRICK. Mr. Speaker and gentlemen of the House, we are now coming to the closing hours of the Sixty-seventh Congress, which Congress, with the exception of a few days, has sat in continuous session for a period of two years, during which time we had to meet and endeavor to solve more momentous problems than any past Congress since the establishment of the American Republic. Other Congresses have sat during times of war, when the fate of the Nation was hanging in the balance, but their problems were chiefly to make appropriations and authorize the issuing of bonds to raise the money to finance the Army; therefore there was no great amount of statesmanship required to contract the national indebtedness; but this Congress has had to wrestle with a problem of rehabilitation and reconstruction, and a repayment of the indebtedness incurred from the greatest war which the Nation ever engaged in. There were many problems met and solved in one way or another. Not all of the problems have been solved to my personal satisfaction. One of my greatest disappointments is that the problem which has not been solved is the payment of a just and adequate soldiers' bonus, although I am very much gratified over the passage of the Sweet bill and the recent passage, in the closing days, of the highly important amendments thereto, which will go a long way toward compensating the maimed, the crippled, and the incapacitated of our soldier boys. But notwithstanding the passage of these very needful and helpful measures, I find that many of the soldier boys who were justly compensable under said act would be unable to obtain their compensation without the kindly advice as to how to prepare their evidence and get it properly before the Veterans' Bureau, and the assistance and cooperation of an intelligent and friendly disposed Congressman to lend his every influence and assistance to the securing of justice for these men whose ability to earn a livelihood at their former vocation has either been irretrievably lost or greatly impaired. And it is with the utmost pleasure to me that I have been able to assist hundreds of World War veterans, and also Spanish-American War veterans, and the fast dwindling numbers of our Grand Army of the Republic, who saved the Union in the dark days of 1861 to 1865, to obtain their just dues in their incapacitated and declining years. Therefore I wish to append a list of cases which have been adjudicated through my office since the last published list of June 13, 1922. In this list, as in all previous lists which I have published in the CONGRESSIONAL RECORD, it will be found that I have not confined my activities to be of assistance to any of the boys in the above-enumerated class of the Nation's heroes in my own congressional district alone. During my incumbency I have handled cases from a majority of the States in the Union and a few from foreign countries. It matters not to me where the meritorious claimant resided, if the claimant had confidence in my ability and appeared to have no one else to turn to, to place their case for assistance in my hands, I had patriotism enough and public spirit to see that the worthy claimant obtained his or her rights to which they were entitled to in the law; and now, in the closing days of my two years in Congress, I feel that few, if any, Members of Congress have exceeded me in the number of cases of whose adjudication I have secured, and without disparaging the efforts of any other Congressman I feel that I secured final action and adjudication of a sufficiently large number of claims of which any Congressman could be justly proud.

WORLD WAR VETERANS AND THEIR DEPENDENTS.

Henry Adkins, Oklahoma City; total permanent award, $100 per month.

James William Adams, deceased; award of $5,000 insurance effected.

Talbert W. Akins, Boswell; compensation, $95 per month.

Haywood Earl Alexander, Hennessey; compensation, $95 per month.

Bryan Allison, Kingfisher; compensation, $80 per month.

Mrs. Margaret F. Archer, deceased; award of $5,000 insurance effected.

Philip D. Armour, Blackwell; compensation award of $100 per month.

Duvall C. Barksdale, Holdenville; compensation, $9 per month.

Clarence P. Battle, Seminole; compensation, $90 per month.

James D. Beck, Duncan; delivery of $50 Liberty bond effected.

Tim Billingsley, Idabelle; compensation, $90 per month.

John Milton Bratton, Oklahoma City; compensation, $10.80 per month.

Charles B. Broecker, Oklahoma City; section 2 vocational training.

Howard A. Bryce, deceased; award of permanent total disability from discharge and reinstatement of $10,000 insurance effected.

Jim B. Bussell, Oklahoma City; award of $15 per month compensation.

Norman E. Calaway, Oklahoma City; $80 per month compensation.

W. C. Carter, Clinton; compensation, $80 per month.

Patrick A. Childers, Enid; section 2 vocational training.

W. A. L. Cossey, deceased; award of $25 per month compensation in favor of widow.

Ralph Crabtree, Antlers; compensation, $9 per month.

Jack Crider, Oklahoma City; compensation, $9.50 per month.

David D. Crowley, Fairview; section 2 training.

Adam W. Curry, Guthrie; compensation, $19 per month.

Ollie H. Cuthbert, Kingfisher; allowance of compensation to include wife.

William Wallace Dawson, Butler; compensation, $20 per month.

Charles W. Dempsey, Enid; compensation, $14 per month.
Oliver Dodson, Savanna; compensation, $40 per month.
William Downey, Stillwater; section 2 vocational training.
Euclid H. Driskill, Oklahoma City; hospitalization pay secured.
Don Dunn, Oklahoma City; compensation, $8 per month.
Philip Milton Everest, Oklahoma City; compensation, $80 per month.
Paul J. Fournier, Quinlan; hospitalization pay secured and appointment of claimant as postmaster.
Byron P. George, Chandler; compensation, $12 per month.
Corrie M. Hawk, Guthrie; compensation, $100 per month.
Ernest Haining, Snyder; compensation, $8 per month.
George W. Hamilton, deceased; adjustment of Government insurance effected.
Rex F. Harlow, Oklahoma City; settlement of Army pay effected.
Fred N. Hayes, Warwick; increase of compensation and section 2 vocational training.
Howard L. Heitmeyer, Keifer; compensation, $95 per month.
Tullus B. Hendrick, Oklahoma City; compensation, $23.75 per month.
Thomas Hickey, Oklahoma City; compensation, $25 per month.
Robert Holliday, Gerty; compensation, $32 per month.
George Evans Howard, Durant; section 2 vocational training.
Luke Scott Jarboe, Oklahoma City; compensation, $90 per month.
Cullen D. Johnson, deceased; adjustment of $10,000 war risk insurance.
Fred W. Johnson, Breckenridge; compensation, $9 per month.
Hezekiah F. Johnson, Vici; compensation, $80 per month.
Jackson W. King, Sulphur; compensation, $100 per month.
Otis W. Leader, Gerty; compensation, $100 per month.
Louis P. Listen, Oklahoma City; compensation, $95 per month.
Edgar Livingston, deceased; reinstatement of $10,000 war risk insurance effected.
William McKenzie, Madill; compensation, $32 per month.
Earl F. McMahan, Wakita; compensation, $80 per month.
John T. Marcak, deceased; order for reimbursement account of expenses of last illness.
John Marston, Wetumka; compensation, $60 per month.
William L. Maxcy, Oklahoma City; compensation, $28.80 per month.
Richard Alva Mayes, Healdton; compensation, $35 per month.
Thomas J. Mayfield; compensation, $44 per month.
Richard Meegan, deceased; payment of $5,000 insurance effected.
Finis F. Mitchell, Cherokee; compensation, $15 per month.
Joe H. Moore, Holdenville; compensation, $9 per month.
Morgan B. Moore, Sulphur; compensation, $95 per month.
Roy L. Myers, Hayward; compensation, $10 per month.
Claude M. Neilson, Norman; compensation, $40 per month.
Ed Null, Stuart; permanent total award of $100 per month.
Nels Nyseth, Oklahoma City; compensation, $80 per month.
Miles C. Oldfield, Oklahoma City; lost Liberty bonds located and delivered.
Ray Virgil Owen, Claremore; permanent total award of $100 per month.
Earnest L. Page, Holdenville; compensation, $80 per month.
Harrison Page, Oklahoma City; section 2 training.
Simon Pearlman, Oklahoma City; compensation, $8 per month from date of discharge.
Robert L. Pearson, Atoka; compensation, $90 per month.
Arch Irwin Pharis, Longdale; compensation, $14.25 per month.
Grady C. Pickett, Prague; section 2 vocational training.
Ollie E. Pierce, Oklahoma City; compensation, $80 per month.
Otto G. Pollock, Holdenville; compensation, $20 per month.
Claude Franklin Randolph, Tryon; compensation, $23.75 per month.
Lawrence B. Ray, deceased; compensation for mother at $20 per month.
Clarence Renfro, Oklahoma City; section 2 vocational training.
Winfield F. Riley, Chandler; compensation, $16 per month.
Paul R. Roehr, Oklahoma City; compensation, $19 per month.
William C. Rogers, Oklahoma City; compensation, $40 per month.
Herman Rottmayer, Knowles; compensation, $16 per month.
Russell R. Rouch, Oklahoma City; compensation, $20 per month.
Elbert F. Rowold, Curtis; compensation, $9 per month.
Edward B. Sherman, Chandler; compensation, $8 per month.
William P. Shuler, Stillwater; compensation, $18 per month.
Duke Edgar Sweatt, deceased; compensation, $20 for mother.
Emmette R. Talley, Hobart; reinstatement of insurance effected.
Frank M. Thomas, Chickasha; compensation, $9 per month.
John L. Thompson, Oklahoma City; compensation, $9 per month.
Ralph B. Thornton, Blackwell; section 2 vocational training.
Christain Uhlenberg, Whipple Barracks, Ariz.; permanent, total $100 per month.
Henry Edward Weber, Okeene; compensation, $9 per month.
Edson R. Waite, Shawnee; compensation, $50 per month.
Perry A. Walker, deceased; insurance reinstated with adjustment check for $1,370.64.
Charles Wallace, Oklahoma City; compensation, $13.50 for wife.
Herbert Warford, Antlers; compensation, $95 per month.
David J. Wenner, Guthrie; compensation, $90 per month.
James M. Welchel, Ada; compensation, $18 per month.
Henry Williams, Cordell; compensation, $80 per month.
Charles N. Willimon, Oklahoma City; compensation, $32 per month.
Harvey L. Willis, deceased; compensation, $20 per month for daughter.
Arthur W. Wilson, Oklahoma City; compensation, $13.50 per month.
Wilbur P. Winters, Oklahoma City; compensation, $90 per month.
Jack Wright, deceased; compensation, $20 per month for minor child.
Blaine G. Yeoman, Oklahoma City, permanent total award at $100 per month.
Arthur Zimmerman, Billings; compensation, $22.50 per month.

PENSIONS FOR CIVIL WAR VETERANS.

Josiah B. Cosner, Carney; pension at $72 per month.
John Cottrell, deceased; allowance of $85 for expenses incident to last sickness.
Jonothan B. Fritts, deceased; allowance, $235.07, on account of expense of sickness and burial.
Francis M. Gibson, Fairview; pension at $72 per month.
Richard J. Gilbert, Newkirk; pension at $72 per month.
Luke Hannon, Hennessey; pension at $72 per month.
John Ingmire, Garber; pension at $72 per month.
Albert Minear, Enid; pension at $72 per month.
Joseph M. Patrick, deceased; $197.20 reimbursement, account of burial expenses.
Henry H. Reynolds, Enid; pension at $72 per month.
Henry P. Sanger, Laverne; pension at $72 per month.
John Whitman, Nash; pension at $72 per month.
George Wright, Jefferson; pension at $72 per month.
George W. Washington, deceased; $133.33 reimbursement, account of expense of sickness and burial.

PENSIONS FOR SPANISH-AMERICAN WAR VETERANS.

James E. Anglin, Oklahoma City; pension at $30 per month.
Charles F. Beaty, Waukomis; pension at $12 per month.
Fred Brabson, Enid; pension at $30 per month.
Benj. F. Brooks, Davis; pension at $18 per month.
John F. Burkhalter, Laverne; pension at $15 per month.
William Chilton, Oklahoma City; pension at $18 per month.
Melvin G. Cornell, Beaver; pension at $12 per month.
William E. Lynch, Kremlin; pension at $12 per month.
Luther E. Kirk, Ponca City; pension at $24 per month.
Albert L. McArthur, Beaver; pension at $12 per month.
Samuel E. McBrayer, Tangier; pension at $12 per month.
LeRoy B. Wheeler, Ringwood; pension at $12 per month.

PENSIONS FOR SOLDIERS' WIDOWS AND DEPENDENTS.

Keziah M. Burchfield, Enid; widow's pension, $30 per month.
Barbara Crites, Cherokee; widow's pension, $30 per month.
Sarah Allen Gray, Covington; widow's pension, $30 per month.
Stella D. Johnson, Enid; widow's pension, $30 per month. Special pension bill.
Carrie Johnson, Oklahoma City; mother's pension, $12 per month.
Mrs. George Luther, Oklahoma City; widow's pension, $30 per month.
Mary E. Mackey, North Enid; widow's pension, $30 per month.
Rachel Minear, Enid; widow's pension, $30 per month.
Elizabeth E. Motter, Cherokee; widow's pension, $30 per month.
Hattie Ousley, Enid; widow's pension, $30 per month. Special pension bill.
Mary E. Partridge, Houston, Tex.; widow's pension, $30 per month.
Rosannah, Robinson, Carmen; widow's pension, $30 per month.
Ruhama Row, Dillwyn, Kans.; widow's pension, $30 per month.
Scottie Lee Shroff, Hopeton; pension of $36 per month for helpless orphan child.
Margaret E. Timbrell, Blackwell; widow's pension, $30 per month.
Susan R. Turk, Enid; widow's pension, $30 per month.
Dollie D. West, Oklahoma City; widow's pension, $20 per month.

Mr. KLINE of Pennsylvania. Mr. Speaker, I came into the Congress two years ago. I am going out one hour and four minutes from now. I came here with the determination to attend carefully to my office duties and to my committee duties, to attend the sessions of the House as much as possible, to hear and to see as much as possible, and not to talk too much. Others must judge whether I have succeeded.

These have been two delightful years—red-letter years in my life. And they have been delightful in large part because on the Republican side I found honest, splendid, kindly, and courteous gentlemen, and on the Democratic side I found honest, splendid, kindly, and courteous gentlemen. And I found the Socialist delegation, consisting of the gentleman from New York [Mr. LONDON], to be the peer of the rest.

I wish to thank you all for the uniform courtesy I have received at your hands. I can proclaim the rest of my life to my friends everywhere what a splendid lot of men there were in the Sixty-seventh Congress, and with a thrill of pride refer to it as did Æneas to his experiences at Troy when he said:

Much of which I saw and part of which I was.

Several times lately, on this floor and elsewhere, I have heard defeated Members referred to as "lame ducks." Let me remind you that when you call a man a lame duck you place him in a class of the most distinguished men of all time. Go back a few years in our own history and you will find in that class such men as Abraham Lincoln, Ulysses S. Grant, James G. Blaine, Grover Cleveland, William McKinley, Theodore Roosevelt, Champ Clark, and a host of other notables who have rendered very great service to their country.

I suppose it really makes little difference whether a man be somewhat lame as he travels the way of life, but it is of greatest importance that he travel that way the very best he can. And it is also important that, whether fortune smiles or frowns, he keeps smiling on the way, for—

Laugh, and the world laughs with you,
Weep, and you weep alone;
For this brave old earth must borrow its mirth,
It has troubles enough of its own.

I bid you all farewell. It has been a joy to be with you, and I regret very much to leave.

I pray the prayer the easterners do,
May the peace of Allah abide with you,
Wherever you stay, wherever you go,
May the beautiful palms of Allah grow,
Through the days of labor and nights of rest,
May the love of sweet Allah make you blest,
So I touch my heart as the easterners do,
May the peace of Allah abide with you.

Again I say, farewell.

Mr. CONNALLY of Texas. Mr. Speaker and gentlemen of the House, on January 25, 1923, I submitted to the House some remarks regarding the constitutional privileges of the House of Representatives and its Members. At that time a hasty examination of the debates in the Constitutional Convention of 1787 did not reveal any debate or detailed reference to the particular phase of parliamentary privilege under discussion.

Subsequently, my attention was directed to a more careful search of the journals and debates of the convention, and I desire to place in the RECORD the results of that investigation.

It appears from the journal of the convention and Madison's Debates that on Monday, August 20, it was moved and seconded to refer the following propositions offered by Mr. Pinckney to the committee of five; which passed in the affirmative.

Each House shall be the judge of its own privileges, and shall have authority to punish, by imprisonment, every person violating the same; or who, in the place where the Legislature may be sitting, and during the time of its session, shall threaten any of its Members for anything said or done in the House; or who shall assault any of them therefor; or who shall assault or arrest any witness or other person ordered to attend either of the Houses, in his way going or returning; or who shall rescue any person arrested by their order.

It will be noted that this language proposed the following: "Each House shall be the judge of its own privileges, and shall have authority to punish, by imprisonment, every person violating the same." This language, had it been adopted, would have accomplished just what the Judiciary Committee claimed was accomplished by the present language of the Constitution.

It is disclosed in Madison's Debates that on September 4 Mr. Pinckney moved a clause declaring that each House should be the judge of the privileges of its own Members. (Elliot, vol. 5, p. 510.) Mr. Morris seconded the motion. James Madison and Edmund Randolph expressed doubt as to the propriety of giving such a power and wished for a postponement. Mr. Morris opposed a postponement.

Mr. Madison distinguished between the power of judging of privileges previously and duly established, and the effect of the motion which would give a discretion to each House as to the extent of its own privileges. He suggested that it would be better to make provision for ascertaining by law the privileges of each House than to allow each House to decide for itself. He suggested also the necessity of considering what privileges ought to be allowed to the Executive.

The arguments of Madison and Randolph against the proposal to vest in the Houses of Congress the power to define parliamentary privilege, referred to the committee on August 20, and renewed on September 4 by Mr. Pinckney, must have prevailed; they must have convinced the convention, because the proposal was rejected, as will later appear.

On September 8 a committee of five on style was appointed by the convention, consisting of Mr. Johnston, Mr. Hamilton, Mr. Morris, Mr. Madison, and Mr. King. On September 12 the revised draft of the Constitution was reported by the committee on style to the convention, and Article I, section 6, was reported as follows:

SEC. 6. The Senators and Representatives shall receive a compensation for their service, to be ascertained by law, and paid out of the Treasury of the United States. They shall in all cases, except treason, felony, and breach of the peace, be privileged from arrest during their attendance at the session of their respective Houses, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

That language was adopted and is to-day the identical language of the Constitution. When presented with the clear-cut issue, to vest the power to determine parliamentary privilege in each House of Congress or to define it in the Constitution, the convention rejected the former and chose the latter.

It can not be said that the language of the Constitution means the same thing as the language rejected or that the attention of the convention was not drawn to the exact difference in the effect of the clauses proposed.

Mr. Madison very clearly pointed out the objections to giving a discretion to each House to decide for itself and expressed the view that parliamentary privilege should be "previously and duly established." No doubt his knowledge of the Britsh system had suggested the objections which he urged. He wanted to get away from that system; he wanted to get away from a system that permitted Parliament in a moment of passion, actuated by a passing whim perhaps, to determine a question of privilege after the fact or act had actually occurred; he wanted privilege to be defined by the Constitution or by preexisting law. And the convention followed Mr. Madison.

In the light of the action of the convention of 1787, following the debates on parliamentary privilege, I most respectfully submit that it is clear and beyond dispute that the constitutional privilege attaching to Members of Congress may be invoked as against the House of Representatives and that under the Constitution it could not be said, in the words which the convention rejected, "Each House shall be the judge of its own privileges and have authority to punish by imprisonment every person violating the same."

Mr. FESS. Mr. Speaker, President Harding is at the halfway post of his administration. The work of the first half has been a task remedial and constructive. The record is made up and the public must judge its success by what has been accomplished.

Unlike the usual administration charged with merely continuing a going concern, Mr. Harding had to undertake the work of correction or readjustment incident to a war which totally dislocated matters political, economic, and industrial.

AMERICA'S FOREIGN POLICY UNDER HARDING.

Peace was restored; diplomatic and trade relations were resumed with former enemy countries.

Strained relations growing out of the mandatory feature of the Versailles treaty with our associates were adjusted.

Foreign controversies with South and Central American countries were settled.

Terms for solution of our differences with Mexico and Russia were specified.

Out of the storms of a World War which completely darkened the international horizon the light has broken, the clouds have disappeared, and the sky is again clear.

The war left its burdensome taxation incident to rivalries on land and sea. It also left the problems of the Far East and the Near East.

The arms conference was called, was in session three months, and by unanimous consent adopted the American proposals, which definitely limited armament on the sea, reduced the burdens of taxation, ended naval rivalry, secured the consent of Britain and Japan to an American Navy equal to that of Britain and 40 per cent greater than that of Japan, and thus lessened the chances of war.

These results were enlarged to include the guaranty of China's magna charta, the adoption of the McKinley open-door policy in the Orient, the withdrawal of Japanese troops from Siberia, the elimination of Group 5 of the secret treaty of 1915, the return by Japan of Shantung to China, and the abandonment of the Anglo-Japanese alliance of 20 years of existence. It also conceded America's contention on the Yap Island dispute, set up machinery to adjust disputes arising in the Pacific, retained our proper position on the Pacific—all accomplished in conference, where mutual understanding and good will dominated, with proper regard for the rights of all, and accomplished without the sacrifice of a scintilla of our sovereignty. Never in the world's history has any nation taken such high position in the family of nations as has the United States under Harding, where all the world looks to America for leadership and guidance out of the chaos into which it has fallen.

The United States at Lausanne as an unofficial observer to offer such counsel on the Near East complications as may be proper and acceptable led the conference in all the definite decisions reached. The problems of western European countries, seriously strained by the Ruhr Valley situation, do not as yet respond to our only possible proposal—that an industrial survey of Germany's ability to pay be made by an international commission, including representatives from the United States. The unwillingness of France to accept the proposal has closed the door to us for further effort on our part. This all has demonstrated America's desire to be helpful to the world whenever and wherever it can be effectually and safely done, always making the United States the final judge of that duty and never to be determined by a vote of foreign countries. If approval of a foreign policy rests upon expeditious and complete adjustment of relations widely strained by war, the first two years of the Harding administration of our foreign affairs under Charles E. Hughes will be approved as the most brilliant of our history.

DOMESTIC PROBLEMS—SUCCESS OF THE TREASURY.

War placed upon our people a debt of twenty-six billion, which was less than one billion when it began. Three billion of these enormous obligations was unfunded and carried by the banks, which absorbed not less than $7,000,000,000 of commercial credit. This enormous amount of assets withdrawn from the channels of trade starved industry for want of capital and forced out of employment at least 5,000,000 workmen. Money was tight, interest rates high, Government credit low, and business generally paralyzed. This administration at once set about to release the assets of the banks by inducing the investing public to absorb the floating or unfunded Government obligations. At first the rate of interest was 5¼ per cent, which was reduced to 3¾ within a year, a saving of millions of dollars. The obligations were at once taken up by the public, the liquid assets of the bank thereby released for industry, banking became free, interest rates came down, rediscount rates fell from 7 to 4 per cent, capital flowed into the channels of trade, industry revived, unemployment disappeared, and Government credit went to par. The appreciation of the Liberties now at par is a saving to the people of $2,500,000,000.

BEWILDERING OBLIGATIONS DUE IN 1923.

The Treasury was faced with obligations coming due in 1923 to the amount of over $7,000,000,000; Victory notes, nearly $4,000,000,000; unfunded debts of $2,500,000,000; and war-saving stamps of $650,000,000. The Secretary of the Treasury proceeded to take them up by issuing series A and B for 1924, 1925, 1926, 1927, and so forth, in such amounts that the Government, if at all possible, may meet them as they come due. All this has been accomplished, every issue has been oversubscribed, the Treasury has been relieved of embarrassment, the Government obligations have been either retired or funded, the public debt, which at its peak reached twenty-six billions, reduced by at least $3,000,000,000—to $23,077,000,000 October 31, 1922—all without disturbance to business or interference with the normal activities of the people, done so smoothly that financial circles are scarcely aware of the prodigious enterprise.

A deficit of over $600,000,000 which threatened us nine months ago has faded and there is now a promise of a surplus, thanks to a business administration, for the first time run on a budget basis. These are the bases of business return. The best authority on business matters in the country, such as Babson, pronounce the comeback the most complete and quickest of any economic recovery from a nation-wide depression in our history. The recovery was from an almost complete overturn of industry and was accomplished by wise financing, a program of rigid economy, and sound enactment of tax revision, protective tariff, and budgetary legislation. Measured by actual results known to all, the first two years of the Harding administration of the Treasury under the personal direction of Andrew Mellon has no equal since the days of Hamilton.

REORGANIZATION OF THE ARMY AND NAVY.

The Army and Navy have been reorganized from a war to a peace basis. This involved, as applied to the Army, restriction of the use of transportation and revision of allowances, reduction of civilian overhead personnel, relinquishment of real estate and military camps, declaration of surplus property for disposal, new plans for concentrated storage of reserve supplies, increased tours of foreign service, and decrease of transferring troops and individuals, settlement of claims against the Government, general consolidation of operating agencies, and so forth.

The National Guard was reorganized and new contact with the Regular Army has been effected. The Organized Reserves are in the skeleton stage to insure a better defense in the future. Summer camps have been planned for enlisted men in training. The Army in peace time under present plans will become a great agency for construction of public works and enhance the public welfare by its expert ability. All this could be said about the Navy also.

The Regular Army has been reduced to 127,000 men and 12,000 officers, while the Navy has been reduced to 86,000 men and 6,000 officers, at a saving in these two departments of hundreds of millions of dollars.

THE DEPARTMENT OF JUSTICE.

The Department of Justice was faced with the most prodigious volume of adjustments growing out of war contracts. This stupendous work was in addition to the usual routine of a Cabinet office. Immediately after March 4, 1921, the Attorney General began an investigation of the pending questions growing out of the congressional investigations of war contracts. Congress voted $500,000 to aid in the task, which was beyond the resources of the department.

The war transactions section of the Department of Justice, with an advisory council consisting of two former judges and an ex-Senator, was created and began to function on June 1, 1922. In November civil suits were instituted against the builders of six Army cantonments to recover for the Government an aggregate sum of $21,000,000. Within a few days four additional suits were filed against camp contractors, bringing the total of the Government's claims against these contractors for alleged fraud, negligence, conspiracy, and connivance to defraud, to over $50,000,000.

Later, on evidence presented by the department, the special Federal grand jury in the District of Columbia returned true bills of indictment against a large number of individuals and corporations charging criminal conspiracy to rob the Government of millions of dollars in the giving out of war contracts. All of the above suits and criminal actions have been placed on the calendars of the United States district courts throughout the country to be pressed to an early conclusion by the Attorney General and his special assistants.

This department, by Federal injunction, ended the strike of 400,000 railroad workers and restored the transportation systems of the country to a condition of normalcy after months of economic paralysis.

A suit in equity was filed for approximately $1,500,000 against half a score of individuals and corporations to recover the value of 140,000,000 feet of lumber, the property of the Government, alleged to have been illegally acquired by them through connivance in its sale as surplus war material, and criminal action was brought against the same individuals.

Besides the civil and criminal suits against the war contractors the Department of Justice in the past year has recovered into the United States Treasury more than $3,000,000 through settlement by agreement of minor suits begun against war contractors and others.

Aside from the so-called war frauds cases, the collection of fines in criminal cases, including food and drug, national prohibition, and so forth, deposited to the credit of the Treasurer of the United States, it is estimated will approximate $5,000,000, collected in about 25,000 criminal cases.

During the past year civil suits to which the United States was a party were instituted to the number of 9,646 and more than 8,000 were terminated. There are now pending in the courts something like 12,000 civil cases.

More than 60,000 criminal cases were begun. During the year about 55,000 were terminated. There are now pending about 65,000 such cases.

From these prosecutions and adjudications nearly four and a half million dollars were realized by the Government from the civil suits alone, while fines and penalties also were realized, making a total of about $8,000,000.

More than 400 separate and distinct cases of importance, representing billions of dollars, are undergoing liquidation.

The greater number of precedents established by the courts during the year coming under the trading with the enemy act have been favorable to the Government.

Prosecution of antitrust law violators has continued throughout the year. Jail sentences or fines, and in some instances both, were imposed upon 63 corporations or individuals in suits successfully prosecuted by the department. The jail sentences were the first ever secured in antitrust cases. About 36 cases are now pending.

During the year 1922, $10,000,000 were saved to the Government in a single group of admiralty cases defended by the department and decided in the Government's favor. These suits comprised the "Western Maid" group, of which there were approximately 200 cases.

To relieve the congestion in the court dockets 23 additional trial judges and one additional circuit judge were authorized by Congress.

The Government during the past two years won a greater percentage of suits brought by importers than it did prior to the establishment of the customs division of the Department of Justice, with a saving of time and expense.

Two hundred and sixty-two suits against the United States in which the claimants asked a total of $37,837,799.53 were disposed of by the Court of Claims, of which total the court allowed the claimants an aggregate sum of only $1,982,444.23.

Due to cumulative legislation in recent time the duties of the Department of Justice are constantly increasing, involving necessary action looking to cases arising out of automobile thefts, the control and destruction of the narcotic drug and intoxicating liquor traffic, the enforcement of the national prohibition act; also cases arising from the patent, trade-mark, and copyright laws, and entirely new problems affecting the Constitution and the interpretation and construction of the law under recent taxation legislation.

The constitutionality of the Volstead Act, the Lever Act, the corrupt practices act, the future trading act, and the interpretation of the income and excess profits tax laws, the woman's suffrage amendment, the transportation act of 1920, the merchant marine act, the packers and stockyards act have all been successfully handled by the department before the Supreme Court of the United States.

Cases involving billions of dollars have been dealt with, war-time claims alone filed in the Court of Claims amounting to $300,000,000, while claims totaling $5,000,000,000 were filed in the War Department.

Through the criminal division the Department of Justice collected in fines and penalties $3,921,454.07 for 1921, or a million and one-half more than was collected in 1920; 53,155 out of 60,722 criminal cases were terminated during the year 1922.

The department has taken steps to bring to trial hundreds of alleged swindlers who have stolen an estimated total of $150,000,000 from the American people through fraudulent use of the United States mails. On March 1, at Kansas City, Mo., a successful prosecution and conviction was secured of the head of the huge Stewart Land Co. postal-fraud case, and the trials of six others jointly indicted with him are being pushed to a speedy termination.

The Attorney General early in this administration took steps to investigate the Chemical Foundation, which it is alleged was organized by former public officials to take over for their own benefit valuable patents.

Disappointment in recoveries from war-time transactions is inevitable, because the defense stands upon the contract made by the Government through the War Department during the war; and unless fraud can be established, recoveries are impossible.

These results have been secured at a time when law enforcement is on trial, and they challenge the record for a better showing for law and order enforcement than that of the Harding administration under the immediate and personal direction of Attorney General Harry M. Daugherty.

THE PROBLEM OF AGRICULTURE.

The administration in March, 1921, found awaiting it economic problems infinitely complex and difficult. Agricultural depression was particularly severe. Farmers had been especially hard hit, which sorely affected commerce and industry. It was realized as never before how intimately are connected national prosperity and agricultural prosperity.

During the war and for years preceding it prices of farm products were high, but not as high relatively as many other commodities. Farm production was stimulated by these prices for some time after peace came and while we were engaged in dismantling the war machinery. War contracts and war expenditures continued, as did war prices, until 1920, when rather suddenly came the perpendicular drop in the prices of most farm products, which within a short time reached lower levels with relation to the prices of other things than ever before in the history of the country.

The administration, both through the Department of Agriculture and Congress, early in the year addressed itself to the situation and took such steps to reorganize the department and enact legislation as would tide over the period of depression and, if possible, place agriculture upon a substantial foundation.

REORGANIZATION OF THE ACTIVITIES OF THE DEPARTMENT.

Particular attention has been given to the economic phases of the department's activities. Certain fundamental changes in the reorganization of the regular activities was of first importance.

BUREAU OF AGRICULTURAL ECONOMICS.

Chief among these was the reorganization of the economic work of the department by consolidating in a single bureau all work in the economics of agricutural production and marketing, known as the Bureau of Agricultural Economics, a combination of the Bureau of Markets and Crop Estimates and the Office of Farm Management and Farm Economics. This change places in one bureau 1,800 workers, of whom 1,100 are here in Washington, the others in the field, who follow farmers' problems of production and marketing from the choice of what to produce on the farm to the disposal of the product to the consumer, giving attention to foreign demand looking to increased consumption of farm products in foreign countries.

The work of this bureau is divided into three divisions: (1) Production, (2) marketing, and (3) general production and distribution statistics, and the other related questions of finance and cooperative organization. The latter includes divisions dealing with land problems and production involved in changes in rural population and standards of living.

NEW LIVE-STOCK REPORTING SERVICE.

The crop-reporting work, including live stock, has extended to a nation-wide live-stock reporting service, showing the monthly changes in the live-stock situation on farms, and will include forecasting and reporting of important live-stock movements. These reports also include births, deaths, losses, marketings, purchases, animals bred, and the number of animals on farms, obtained from 70,000 to 100,000 farms. A recent example of the stabilizing effect upon the live-stock and meat industry by correlating supply and demand of this live-stock reporting service was the forecast showing that approximately 103,000 head of Arizona cattle would be available for market. To aid in this activity the Market News Service of the department, in which facts concerning movements, prices, and stocks of farm products on the market are gathered and distributed, will be greatly expanded during the next year as a result of the increased appropriation from $405,000 to $700,000.

REORGANIZATION OF EXTENSION WORK.

Congress provided for a director of extension work, placing under one person the responsibility of coordinating all of the extension work of the department, having to do entirely with extension work, such as the office of cooperative extension work in the States Relations Service, the office of motion pictures in the Division of Publications, and the office of exhibits, a plan which makes unnecessary the States Relations Service, the office of the director of information, and the Division of Publications, all of which will be eliminated as such.

The other offices in these divisions will be placed under the supervision of the director of scientific work, the director of regulatory work, or within the Secretary's office proper. When this complete plan of supervision is put into operation the three general classifications of the department's work—research, regulatory, and extension—will come under a single directing head, each responsible to the Secretary.

BUREAU OF HOME ECONOMICS.

Of particular interest to the women of the country is the announcement of a new bureau of home economics, already provided for by Congress, which will rank in importance with the other bureaus in the department and be in charge of a woman to better deal with the problems facing the women on farms and in the cities.

FORMATION OF COMMODITY COUNCILS.

Another advanced step in the interest of agriculture is the establishment of commodity councils, composed of representatives of the various bureaus, to make studies of the conditions which influence the production of various crops in sections of the country.

As an example may be cited the cotton council, whose meetings are attended by the people who understand the soils of the Cotton Belt, varieties as adapted to certain soils, by the experts in cultural methods, the entomologists who understand injurious insects and the methods of combating them, specialists who understand grading and marketing methods, and by many others who have information needed to bring about the most economical production and marketing of cotton. From such studies there should come certain definite department policies with regard to the cotton crop. The same general policy is being followed with regard to the other agricultural crops.

These are some but not all of the important steps taken by the department to advance the interests of agriculture.

CONGRESSIONAL PROGRAM OF AGRICULTURAL REHABILITATION.

Now let us examine the accomplishments of Congress in aid of this, the country's first and greatest industry. One of the first steps it took was to appoint a Joint Commission on Agricultural Inquiry, consisting of Members of the House and Senate, which sat during most of the year 1921. It called to its aid various Government departments. It heard practical farmers and representatives of farm organizations, business men engaged in industry closely allied to agriculture, economists, experts in finance and in transportation. From this data assembled the commission made its report in four parts, dealing with the causes of the agricultural crisis, farm credits, transportation and distribution, and marketing. No such systematic study of the economics of agriculture and no such body of information had ever before been attempted. No one will question that this commission did a tremendously valuable piece of work, out of which already has come valuable assistance in laying out a wise national agricultural policy, which has eventuated in a great relief program of legislation.

THE NATIONAL AGRICULTURAL CONFERENCE.

Another important aid to agriculture during this administration was the national agricultural conference held at Washington in January, 1922, called by the Secretary of Agriculture at the request of the President, and which proved to be the most representative gathering of practical farmers and representatives of farm organizations and allied industries ever brought together. Congress responded to the recommendations of this conference by enacting most of them into law.

AGRICULTURAL CREDITS ACT OF 1923.

One of the most important actions of the Sixty-seventh Congress was the passage of the agricultural credits act at the close of the session. This act is designed to give the farmer the sort of credits he needs to produce efficiently and market in an ordinary way the products of the farm, a need which has been felt for at least 50 years. It provides a system of intermediate credit adapted to farm conditions and farm needs, and should bring about a reduction of the interest which farmers must pay for money borrowed.

The act is divided into two parts. The first provides Government agencies for handling agricultural loans and the second authorizes the organization of private agencies under Government supervision for making loans on live-stock securities and on farm commodities on the way to market.

The Government loan activities may be carried on in connection with the Federal land banks, 12 in number, one in each land bank district, which makes land-mortgage loans, and the

12 banks being directed by a central Federal farm-loan bank in Washington. In connection with each of these land banks there is to be established an intermediate credit bank located in the same city with the land bank and under the supervision of the officers and directors of the land bank.

The Federal Government supplies each of these intermediate credit banks with a capital of not to exceed $5,000,000. These intermediate credit banks are authorized to discount farmers' notes which have been taken by the banks and other financial institutions and then carry such notes for a term of from six months to three years. The banks may also loan direct to farmers' cooperative associations under conditions set forth in the act.

The second division of the act authorizes the organization, under a Federal charter, of national agricultural credit corporations, these to be organized by private capital. They will be under the supervision of the Comptroller of the Currency, just as are other national banking institutions. They must have a capital stock of at least $250,000. They may issue collateral trust debentures up to 10 times their capital and surplus. Such corporations will most likely be organized in the Western States, where the live-stock industry is important and where at the present time cattle loan companies are in operation.

In addition to the provisions of the act designed to furnish the farmer much needed intermediate credit, certain changes have been made in the law under which the Federal land banks operate and in the Federal reserve act. Provision for the establishment of the so-called permanent organization of the 12 Federal land banks is made by providing that three out of the seven directors for each bank are to be elected by the borrowers from the bank and three are to be appointed by the Federal Farm Loan Bureau. The seventh director, who will be the president of the board, will be chosen from three persons who have received the highest nomination vote for this position by the borrowers or stockholders of the bank.

Heretofore the maximum amount which might be loaned to any individual by the Federal land banks has been $10,000. This has been increased to $25,000. Also the purpose for which mortgage loans may be made has been broadened to include the repayment of any existing indebtedness.

The Federal reserve act is amended by broadening the definition of what is called agricultural paper, making it include the grading and processing of agricultural products by cooperative marketing associations. Heretofore the Federal reserve banks have not been permitted to discount agricultural paper for a longer period than six months. This period has been increased to nine months.

An amendment to the Federal reserve act designed to encourage small banks to join the system is carried in this act, so that a bank which has capital equal only to 60 per cent of the capital required of national banks may now be admitted into the Federal reserve system if within a reasonable time the capital will be increased to correspond with the capital required of national banks. For the first time credit facilities are provided for the farmer as heretofore the Federal reserve act provided them to commercial enterprises.

Earlier in the Congress two separate amendments to the farm loan act had been made to relieve the agricultural situation. The first increased the income on the farm-loan bonds from 5 to 5½ per cent, so as to insure a market by which a fund could be realized out of which loans could be made to farmers, with a limitation of interest not above 6 per cent. The other amendment was permission to increase the fund from which loans could be made by $25,000,000. These two changes relieved the situation, which is now further relieved by the credits act passed at the close of the session.

AMENDMENT TO FEDERAL RESERVE ACT.

Still another step was taken to relieve the credit situation of the farmer. The law which created the Federal Reserve Board provided that in appointing members of that board the President should have due regard "to a fair representation of the different commercial, industrial, and geographical divisions of the country." Agriculture as well as commerce and industry demands consideration by the Federal Reserve Board in determining great financial policies. Accordingly Congress amended the Federal reserve act to include agriculture, so that it now reads that in appointing members the President should have due regard "to a fair representation of the financial, agricultural, industrial, and commercial interests."

Opposition to this amendment developed among those who felt that the provisions for agricultural representation had the appearance of class representation. The administration acted upon the theory that the Federal Reserve Board, the most powerful financial institution in the country, should administer its credit machinery not alone for business and industry but also for agriculture, the basic industry of the country, the industry upon which our entire civilization depends and which should have more careful consideration than it has had in the past. The law as amended and as it now stands provides for a board which shall represent, in fact, a cross section of our financial, agricultural, commercial, and industrial life.

REVIVAL OF WAR FINANCE CORPORATION.

One of the early acts of Congress to relieve the financial stringency of the farmers was the revival of the War Finance Corporation and a provision to extend the benefits of the corporation to agriculture, making the Secretary of Agriculture director of the corporation. The corporation was empowered to loan money to those engaged in marketing agricultural products for export or to banks or cooperative associations of producers which may have made advances for agricultural purposes, a relief thought by many to have been the salvation of the live-stock industry in the West and the saving from bankruptcy of industries essential to the prosperity of the entire country.

THE COOPERATIVE MARKETING ACT.

A need long felt by the cooperative marketing organizations was provided in a law approved February 18, 1922, giving the right to farmers to form associations for marketing, preparing and marketing, their products. This act gave to farmers many of the powers and privileges enjoyed by business corporations. The Secretary of Agriculture is given authority over the associations to prevent monopoly or restraint of trade in interstate or foreign commerce. The claim for this legislation is that through cooperative organizations of this kind it is thought possible to eliminate unnecessary middlemen, to improve agricultural conditions, and, while assuring the producer of a fair price for his products, protecting the consumers against extremely high prices.

EMERGENCY AND PERMANENT TARIFF.

One of the early acts of the Sixty-seventh Congress was the emergency tariff covering all the basic items of production of the farm. This was to operate until a permanent tariff measure protecting American industries could be enacted. The delay of this measure induced Congress to remove the time limit on the emergency act and make it permanent law, which was done in February, 1922. This decision was due to the importation of large quantities of products which had piled up in other countries and which our people could purchase at almost any price. These importations had a baleful effect upon the prices of our own products and further added to our surplus, hence the necessity of the protection which was readily provided by law.

PACKERS AND STOCKYARDS ACT.

A regulatory measure was passed known as the packers and stockyards act, to eliminate illegal and deceptive practices, to maintain open competitive market conditions, to enhance quality of service, and to regulate charges for marketing live stock reasonably; in short, to prevent and correct irregularities and abuses, such as unfair discriminatory practices, the control of prices, and unjust rates or charges. The operation of the act has been delayed by the courts; nevertheless, it has contributed directly and effectively to the good of the live-stock industry by bringing about friendly and better contacts between the packers, producers, and stockyards companies. It was under the authority of this law that the Secretary of Agriculture recently issued a complaint against the proposed merger of the Armour and Morris packing companies.

GRAIN FUTURES ACT.

Another law similar to that of the packers and stockyards act is the grain futures act, which brings the various grain exchanges under the supervision of the Secretary of Agriculture. This law gives the supervising agency authority to inquire into the manner in which grain is bought and sold and future contracts made upon the principal grain exchanges of the country. It does not prevent hedging or legitimate trading, but it requires or carries the power to prevent unfair manipulation and promotes impartial practices by those who deal in grain futures. The law as first passed was pronounced unconstitutional. It was redrafted and again passed by Congress and is again on a second appeal before the Supreme Court to test its constitutionality.

AMENDMENT TO WAREHOUSE ACT.

The United States warehouse act of 1916 provided a permissive system of licensing warehousemen by the Secretary of Agriculture. It applied to four of the principal staple crops—cotton, wool, tobacco, and grain. Its primary purpose is to encourage the orderly marketing of agricultural products by providing for a form of warehouse receipt to be issued while the

products are in storage. On February 1, 1923, there were 360 cotton warehouses licensed, 227 grain warehouses, 20 wool warehouses, and 62 tobacco warehouses. The capacities of many of these warehouses were quite large, the licensed capacity for cotton being sufficient to store at one time about one-fourth of a normal cotton crop and for wool about one-sixth of the annual clip. The progress made under this act in the last two years and the acceptability to bankers of receipts issued under it created a demand on the part of producers of other products for enlarging the scope of the act.

On February 23, 1923, the law was amended by removing the limitation on the products which might be stored so that the Secretary of Agriculture may license a warehouse for the storage of any products which he considers would constitute sound collateral. It also provides for a system of licensing inspectors and samplers of commodities stored in warehouses, in addition to graders and weighers. The amendments made to the penalty section of the law very materially strengthen the law in the eyes of bankers.

That receipts issued under the warehouse act constitute collateral for credit purposes is evident from the fact that the War Finance Corporation in the past season agreed to make loans to various cotton associations aggregating more than $59,700,000 on the basis of such receipts, or such other receipts of which it might approve; and further agreed to loan to one of the tobacco growers' associations $30,000,000 with similar receipts as collateral. Some of the cotton associations stored their cotton exclusively in federally licensed warehouses so that they might get the benefit of the Federal warehouse act, and the two largest tobacco associations have followed the same procedure.

The agricultural credits act and the Federal warehouse act go hand in hand. The receipts issued under the latter act will constitute collateral for use under the former act, so that associations will experience little difficulty in securing loans either from private bankers or under the agricultural credits act if federally licensed warehouse receipts are offered as collateral.

COTTON STANDARDS ACT.

The cotton standards act, which becomes effective August 1, 1923, prohibits the use of foreign grade and staple standards for cotton, and establishes the official standards of the United States as the sole standards in interstate and foreign commerce. It also enables the Secretary of Agriculture to interpret the official standards by determining the classification of cotton submitted for the purpose and by the arbitration of disputes as to classification arising out of commercial cotton transactions.

The operation of the act is expected to eliminate much of the confusion as to grades and values that has resulted in the past from the use of foreign standards in the United States. With the American cotton business on uniform standards, cotton growers should be able to realize in the future much larger benefits from the classification of their cotton than has been possible heretofore.

STANDARD FOR BUTTER.

The bill establishing a legislative standard for butter, which was passed by the last Congress, is of peculiar interest to the dairy industry in this country. For many years the industry has been compelled to contend with conditions arising as the result of the differences between the existing standards for butter. The Department of Agriculture for the purpose of enforcing the Federal food and drugs act announced a standard for butter calling for a milk-fat content of 82.5 per cent. But confusion of standards throughout the States made it impossible for the Department of Agriculture to enforce its standard above 80 per cent, justified by trade practice.

Upon the recommendation of the Department of Agriculture and with the indorsement of the trade the legislative standard of 80 per cent has now been enacted by the Congress, thus furnishing a common standard for all interstate traffic in butter, eliminating the confusion heretofore existing, and placing all dairy interests manufacturing butter upon an equal competitive basis.

NAVAL STORES ACT.

The naval stores act, passed in the last Congress, is designed to stop the adulteration of turpentine and the misgrading of rosin, and also to establish definite standards for rosin and turpentine. This legislation has been sought for 15 years by the industry itself, and its need had been definitely shown by the work of the Department of Agriculture during that period, which has found that from 20 to 25 per cent of the turpentine sold in this country is adulterated, and that a large percentage of rosin is seriously misgraded.

The act, which will be of undoubted benefit to the industry and consumer, places at their service the facilities and experiences of the department as a final authority on the purity of turpentine and the grading of rosin.

THE FILLED MILK ACT.

Another important act, widely demanded by agriculturists, was the filled milk law.

THE GOOD ROADS ACT.

The good roads act, which provided $140,000,000 available for better roads throughout the Nation, is a distinctive aid to agriculture.

Here is what is pronounced the most ambitious program of legislation in relief of agriculture ever written by any legislative body at any time in any country.

The future of this important industry has more promise to-day than heretofore; and while it is still suffering from abrupt deflation and war influence, it will gradually assume its proper rank among productive industries. Measured by obstacles faced, relief provided, and results achieved, this administration has done more for the country's basic industry of agriculture than has ever been attempted before, and it appeals to the record and invites the sharpest scrutiny of its critics upon the accomplishments.

THE WORK OF THE DEPARTMENT OF COMMERCE.

The Department of Commerce has also taken advanced grounds to keep pace with the tremendous possibilities of our productivity.

It was provided with total appropriations amounting to $24,320,192 for the fiscal year ending July 1, 1922. The actual expenditure of the department for the fiscal year was $21,024,870.17, a total saving of $3,295,321.83, or 13.5 per cent of the available appropriation.

EXTENSION OF FOREIGN TRADE.

Despite this economy in administration, the Bureaus of Foreign and Domestic Commerce, Census, Fisheries, and Navigation were completely reorganized.

The Bureau of Foreign and Domestic Commerce was enlarged to include divisions covering foodstuffs, cotton, agricultural implements, automotive products, coal, electrical equipment, hides and leather, industrial machinery, iron and steel, paper, petroleum, lumber, rubber, shoes and leather manufactures, specialties, transportation and communication, foreign tariffs, and foreign commercial law. Permanent committees from the trades were created for cooperation with the department.

An entire revision has been made of the character of information sought from foreign countries by the broadening of its economic character, and in rendering more specific its values to different industries. Systematic and regular information has developed on foreign situations which have direct reflection upon our domestic commerce—for instance, surveys of world stocks and consumption of cotton, wool, wheat, rice, and some other commodities, together with the currents in manufactured goods between other countries than our own in their relation to American markets. Weekly reports are carried by over 200 daily newspapers and periodicals, reaching a circulation in excess of 10,000,000 people weekly.

AID EXTENDED TO INDUSTRY.

From April to July, 1921, the Department of Commerce undertook the initial investigation into the credit and commodity situation in agricultural produce at home and abroad and joined with other departments in conferences that were called affecting the cotton, cattle, and grain industries. The reconstitution of the War Finance Corporation was recommended, and the impending widespread bankruptcy in the agricultural industry was thus prevented. Particular service was performed for the sugar trade in November, 1921, when prices were below the cost of production. Through extended conferences held by the department cooperation was secured by the manufacturers, bankers, merchants, and producers, credits were reestablished, liquidation was stopped, and through returning confidence accumulation of normal stocks was resumed by the distribution trades, and the beet-sugar situation was tided over.

STEPS FOR RELIEF OF UNEMPLOYMENT.

The problem presented by the extension of unemployment to between 4,000,000 and 5,000,000 in the United States as a result of the industrial slump in 1921 was met by the Department of Commerce, in cooperation with the Department of Labor, by calling a conference on unemployment on September 26, 1921. The Department of Commerce created an organization for the consummation of the plans of this conference for ameliorating the unemployment situation. Emergency committees were created in cooperation with over 200 municipalities, with the cooperation of the employees by vast extension of divided-time

employment, and through the combined effort of the Federal administration in expediting and of Congress in extending public works, the most severe winter of unemployment in our history was passed without any notable suffering and without a single public disturbance.

INVESTIGATIONS IN BUILDING AND HOUSING.

A Division of Building and Housing was created in the department to deal with the problem created by the shortage of some million dwellings resulting from suspended construction during the war. As a result of the activity of this division voluntary bureaus have been created in many municipalities for advancement of home ownership, and where advice on finance and aid by furnishing designs and specifications could be obtained at a nominal charge. Systematic measures of cooperation were set in motion in trade and civic bodies for the eliminating of waste in various directions, and thus a reduction of construction costs. A committee from representatives of the important professional and civic associations in cooperation with this division and the Bureau of Standards formulated a standard building code to meet the problem created by the varying regulations in force in hundreds of different municipalities founded within scientific study and imposing an unnecessary cost upon building of from 10 to 20 per cent. This code which has but recently been issued has had wide circulation and is already being adopted in some municipalities. This division has also, in cooperation with the trades, been working for the elimination of unnecessary variation of dimensions of building material and in the simplification of specifications.

VOLUME OF WORK OF THE SIXTY-SEVENTH CONGRESS.

The Sixty-seventh Congress was in session 414 actual days. It enacted 655 public and 276 private laws, or a total of 931, an average of more than two laws for each day it sat.

The index of the laws, giving a brief statement of each, when and by whom introduced, when reported, and when debated, amended, and finally passed, comprises 204 pages of the House Calendar.

These laws cover the widest range of interests, touching all the basic elements of production, distribution, and consumption, including almost every occupation of our citizenry. An index of leading topics dealt with would include, among others, agriculture, farms and farming, appropriations covering every department, involving the expenditure for next year of nearly $4,000,000,000, the Army and Navy, aviation, banks and banking, bonds, Budget, claims, coal, commerce and labor, immigration and deportation, mines and mining, radio, reclamation, water-power development, and so forth.

SOME OUTSTANDING TASKS.

The first step was taken to get away from war-time taxation by a revision of the system at an annual saving of $800,000,000. The final step was taken to abandon the pork-barrel method of legislation by the adoption of a National Budget System at an annual saving of hundreds of millions of dollars. General Dawes places the saving the first year at $1,600,000,000.

The paralyzing "revenue only" Underwood bill was displaced by an American protection law, under which industry revived, unemployment disappeared, and revenue increased at least 33⅓ per cent over that of 1920, the last year of the Underwood law, if the present rate continues.

The increasing inflow of Europe's population, with its un-American dogmas and complicated unemployment problems, was met by a further limitation of immigration to insure a better selection of immigrants.

The confusion arising out of a war that totally suspended fundamental laws of economics, with their inevitable injury to labor, led to placing on the statute books laws specifically commended by the highest labor authority in the land and indorsed as especially in the interest of the workers of the country.

The stupendous problem of caring for the disabled soldier of the World War called for concentration of effort; hence the creation of the Veterans' Bureau, whose expenditure last year was $510,000,000.

Widows' pension act passed, and an act amending the civil service retirement act; also, the reclassification act was passed.

Remedial action on behalf of postal clerks was secured in the Postal Service employees' compensation act.

Relief of the courts was provided by the creation of 23 additional Federal judges and a separate act defining a method for settling claims against the United States.

Two specific laws were enacted to survey the facts pertaining to the coal-mining industry as a basis for adjusting disputes arising in that basic industry—the coal distribution act and the coal fact finding act.

This administration found a foreign debt of over $10,000,000,000 loaned by us, with nothing to show for it but due bills, I O U's, uncollectible. A funding commission was created by this administration. It has succeeded in a settlement with the British Government, which agrees to issue her bonds to amount of $4,600,000,000, which when fully paid will amount, principal and interest, to $10,105,000,000, the largest transaction in the history of the world and the most important step to insure economic recovery in the world yet taken. The commission will seek settlements with other debtor countries and put an end to the vicious twaddle about our canceling these solemn obligations due our people.

Congress passed an act supplementing and defining national prohibition and provided funds for its effective enforcement. The Justice Department rendered a decision against ships of foreign registry bringing liquor into American ports, though under seal, and also against ships of American registry having liquor in cargo or stores either within or without the 3-mile limit of American territorial waters.

This Congress established peace with our former enemy countries, set up the Mixed Claims Commission to adjust claims between the two Governments, and as one of the last acts of the session it authorized the return of alien property where the claims did not exceed $10,000, which settles at least 93 per cent of the claims of German citizens held against the Alien Property Custodian.

IN THE WAKE OF WAR.

The story of the world's spree, of the waste and extravagance of war-time prosperity, followed by the sickening season of the aftermath, is read in the crash of business enterprise, in the overturn of industry, the dislocation of all production, by the disastrous deflation from the dangerous inflation of war stress, disappearance of capital from the channels of trade, the prohibitive rates of interest on money, the derangement of banking facilities, the starvation and paralysis of general business, the threatened bankruptcy of a too rapid liquidation of agriculture, the enforced idleness of millions of workers, and the low ebb of Government credit.

AS IT AFFECTED OUR FINANCES.

The story could also be read in a debt which overnight leaped from less than a billion to twenty-six billion, a debt so huge that the annual interest charge alone was considerably greater than the total cost of running the Government prior to the war.

It was read in the annual outlay of $27,000,000,000 in 1918, $19,000,000,000 in 1919, and $7,500,000,000 in 1920.

AS IT AFFECTED FOREIGN RELATIONS.

The story was read in our disturbed foreign relations, more or less strained with much of the world. The story repeats itself in the ominous problems so comprehensive and so complicated as to involve every department of the Government, and taxed the best talent of the land for the proper solution.

THE PROBLEMS FACING INDUSTRY.

These conditions demanded readjustment when President Harding assumed the duties of leadership. Two years have passed. It has been a time of keen concern to all good citizens. It has been marked by sincere efforts to ameliorate suffering incident to the ravages of war.

THE RECORD.

The two years have been crowded with a great volume of constructive and remedial work. The record is now made up; the results are apparent upon which the people must give their verdict of approval or disapproval.

March 4, 1923, witnesses a picture in sharp contrast to that of March 4, 1921. Business enterprise is on the top wave, industry completely revived, production on a sound basis again, capital out from its hiding place to seek investment, rates of interest lower, money easier, agriculture approaching normal, unemployment disappeared, employers advertising for labor, and the Government credit at the high point.

All the basic industries are again at normal production, and in some industries, such as steel, contracts for future deliveries are taxing the capacities of the mills.

Construction and building are at a stage beyond anything in modern times, with wages the highest of record.

AN IMPORTANT SURVEY.

A recent survey of business conditions, as determined by the items of demand, price, supply of finished stocks, labor conditions, and collections, of 41 different articles of trade showed a most healthful situation. The demand was fair or good in almost all of the items, price was firm or higher in all but three, stocks were normal, moderate, light, or decreasing in all, supply of labor was scarce in 16 and sufficient in only 10 items, wages were unchanged in 24 and advanced in the other items, and collections were good in 14, fair to good in the same number, and poor in only 3 items.

EVIDENCES OF INDUSTRY REVIVED.

Transportation efficiency has returned and the traffic has reached capacity again. Receipts are almost double a year ago, and car loading has outstripped anything in the past.

A second barometer of business conditions is the Postal Service. A report of a recent survey of 50 towns, comprising 54 per cent of the country's postal business, shows an average increase over a corresponding period a year ago of 12.81 per cent. The increase per month for the eight months ending February was as follows: July, 11.62 per cent; August, 10.80 per cent; September, 11.56 per cent; October, 14.34 per cent; November, 13.79 per cent; December, 9.05 per cent; January, 18.99 per cent; and February, 13.18 per cent, making a total increase for the eight months of 103.33, or an average of 12.81 per cent per month.

The automotive activity is another barometer, which shows the United States making 84 per cent of the world's output of this industry, which was never more active than to-day. The same can be said about all of our basic industries.

HOW IT WAS DONE.

Economy being the watchword, the war dismantling process is about ended, the pay roll decreased by dropping over 100,000 employees; the annual expenditure, which in 1920 was $7,500,000,000, reduced to $3,706,000,000; the public debt decreased to $23,077,000,000 last October, a reduction of nearly $3,000,000,000; the taxation burden reduced annually by over $800,000,000; the deficit of over $600,000,000 wiped out; the Budget balanced, and our fiscal system the soundest in history; the displacement of a business-destroying revenue system by the American system of protection, and the consequent return of an era of prosperity, now in full sway.

AFTER THE STORM CLOUDS.

The overhanging clouds which darkened our international horizon have disappeared. Diplomatic and cordial relations now exist with all of the nations of the earth save only Mexico and Russia, both of which will be adjusted when our terms are accepted. Out of the recent world convulsion, with its complicated situations, its undeterminable conflicting national interests, its irreconcilable ambitions, and its acute involvements, we have emerged, our sovereignty unquestioned, our independence undisputed, our honor unsullied, our national integrity unassailed, where we to-day stand upon a vantage ground to do good never before reached by any nation in the history of the world.

TEAMWORK OF THE ADMINISTRATION.

These results are largely due to the teamwork of the administration not only in the executive departments but between the President and Congress. The character and ability of the President's advisers, the Cabinet, will not suffer in comparison with what has gone before.

The President's sincere regard and strict adherence to our constitutional system of coordinate departments of lawmaking, law interpreting, and law enforcing opened the way for a character of teamwork never before excelled. Pledges of platform were respected and problems of adjustment were met and solved by the closest cooperation of President and Congress. True, such problems as the shipping bill failed of becoming law, but the Sixty-seventh Congress ended after having written the most stupendous volume of legislation ever written into law.

THE VERDICT.

To-day President Harding, standing at the half-way post of his administration, presents these results of his efforts to solve the intricate problems of the war's aftermath.

The people will judge him and his work by these results. Whatever may be the verdict, the achievements challenge the record to present another two years of accomplishments which will approach what has been done from March 4, 1921, to March 4, 1923.

Mr. GREEN of Iowa. Mr. Speaker, an article appeared in the American Farm Bureau Federation News Letter of January 11, 1923, which was reprinted in the CONGRESSIONAL RECORD of March 4, 1923, purporting to show the financial effect of the present tariff upon consumers in general and the farmer in particular, and attempting to show that as a result thereof the farmers as a whole are sustaining a great loss.

I have examined this article with care, and I find that its computations and conclusions are based upon two propositions; first, that except as to articles of which we produce a surplus the tariff is always added to the cost of the article upon which it is laid, and the price to the consumer is thereby increased by substantially the amount of the tariff, and, second, that the only persons receiving any benefit from the tariff are those directly engaged in or connected with the production of the articles upon which the duty is laid.

Following these theories, it is estimated in the article that the total cost of the tariff to the whole country is $1,715,000,000 and the cost to the farmers $426,000,000, with $125,000,000 gain, leaving the net cost to agriculture $301,000,000.

It is obvious that if these theories are correct a protective tariff is an economic fallacy; that there should be no tariff on farm products or anything else except for revenue purposes; that even a tariff for revenue ought not to be levied upon articles that are produced in this country and come into competition with the imported article, for if it was so levied the cost to the consumer would be the amount of the tariff added not only to the price of the articles imported but the same amount added to all other like articles produced and consumed in this country. It will be seen that the News Letter referred to presents in disguised form the arguments in favor of a tariff for revenue only as opposed to a protective tariff, and revives a political issue which has been prominent before the people in every presidential election for many years.

It is true that this country has never been on a free-trade basis and never been completely on a tariff-for-revenue basis; but a tariff for revenue only, with what is called "incidental protection," has several times been tried in the history of this country. The mere halfway adoption of these theories has always had such disastrous results to the Nation as a whole and the American farmer in particular that the policy was reversed as soon as the administration of the national affairs could be changed.

It is not possible to discuss in a statement of reasonable length all the fallacies that are embodied in the article which is being considered, but its failure to show the real situation arises in a large part from the fact that it does not take into consideration the incidental benefits resulting to the farmer from the tariff, and its assumption that the amount of the tariff is always added to the cost to the consumer when it often actually decreases the price to him. Without reviewing the article as a whole, two illustrations may be given which show how erroneous are the methods of its calculations and how completely unfounded are its conclusions.

The question is often asked, "Who pays the tariff?" The Canadian farmer does not need a theorist to tell him. He knows that he pays the tariff on cattle which he exports into the United States, and he has protested very vigorously against it.

The accuracy of the figures given out in the article referred to may be well judged from those used with reference to cattle. Only a little over 200,000 head of cattle of all kinds, including calves, stockers, and feeders, were imported in 1922, practically all from Canada and Mexico, at a value of about $4,700,000. The number of feeding cattle imported was so small as compared to the number estimated to be slaughtered during the same year in the United States, which was over 13,000,000 cattle and nearly 9,000,000 calves, that anyone who has had experience in the cattle business would doubt whether it would make any difference in the price in this country if none had been imported or if double the number had been brought in. Yet it is estimated in the article that the cost of those purchasing feeders at the St. Paul market alone was $1,000,000 on account of the tariff. Nor does it seem to have even entered into the minds of those who prepared the article that if those buying the feeders passed on to the consumer the addition to the prices which is claimed to have resulted the cost to those buying the feeders was nothing. On the other hand, if it was not passed on to the consumer, just how it is figured that the consumer is out anything is difficult to explain.

How far those who study theories more than they do markets may get into error is well shown by the statements in the article with reference to sugar. Here, again, the Cuban planter can answer the question of who pays the tariff. He says that he pays the most of it, and he also is vigorously protesting against it. The increase in the tariff on sugar made by the tariff bill that went into effect last September was trifling, being only about one-sixth of a cent a pound on sugar from Cuba, from which country we now get all our imported sugar. The emergency tariff of May, 1921, made a much larger increase, but, notwithstanding the increase, sugar continued to go down in price for the next nine months. Recently a report from the Department of Commerce that the world's production of sugar for last year was 200,000 tons less than the consumption demand sent the price of sugar up 2¾ cents a pound, although to this statement was added the further data that there was a large carry-over of sugar from the former year which would much more than make up this deficiency. There is produced in the United States from 800,000 to 1,000,000 tons of beet sugar annually and a large amount of cane sugar.

Everyone will admit that if the tariff was taken off sugar could not be produced within the United States proper in competition with that from Cuba, and the American producers would have to go out of business. If a shortage of 200,000 tons in the world's production, even with a carry-over of more than enough to make up that shortage, increases the price of sugar 2¾ cents a pound, what would happen if the supply of sugar for the world was over 1,000,000 tons short and that shortage was in the United States, as it would have been if we had no tariff on sugar? It needs no theory to tell us what would happen. The consumption of sugar in the United States is about 5,700,000 tons. There was no real shortage in 1920, but the Cuban planters claimed there was, got together, and put the price up to 24 cents. With a real shortage and no competition in the United States, they could do this again with even greater success than before. The Cuban producers need this market and will take all of it they can profitably at a competitive price made by the American sugar producers, but if there is no competition on the part of the American sugar producers they would take it all at a price made by themselves, and without the tariff they could easily drive the American producers entirely out of the field. The real fact is that the tariff has lessened the price of sugar to the American consumer, instead of having increased it.

What the American farmer needs is a market, and by far the greatest and best market for him is the 110,000,000 people living in the United States. A great portion of this market was lost in 1921 because 4,500,000 American citizens were out of employment a large portion of that year. Consequently farm products declined all through 1921. In 1922 these men were gradually put back to work, until at the end of the year there was practically no unemployment, and prices of farm products, on an average, steadily rose and continued to rise into 1923. Take off the tariff and this unemployment would again manifest itself, with a consequent loss of a market for farm products, as well as other commodities, and a depression in prices.

The value of the American market to the American farmer is strikingly shown by the fact that, although the value of exports of farm products fell off in 1922 as compared to those of 1921 over $225,000,000, the value of farm products in the United States, according to the weekly statement in Weather, Crops, and Markets, issued by the Department of Agriculture, increased over that of 1921 by the immense sum of $2,000,000,000. The conclusion is inevitable that the change in conditions on the American market was what brought this great gain to the farmer.

Prices of farm products at this time are, in general, higher than they were in 1913, some of them very much higher. At the same time the prices of other commodities still remain at a figure which is a greater advance from 1913 prices than is shown by farm products, and as a result the condition of the farmer is far from satisfactory. There has been a general advance in the price of commodities lately, but the tariff has had little to do with that advance. The purpose of the tariff is not so much to advance the prices of articles upon which it is laid as it is to retain the American market for the American farmer and manufacturer and to stabilize prices therein. By so doing the indirect benefits to the farmer, the manufacturer, and the consumer vastly outweigh even such imaginary losses as are claimed in the article reviewed.

In this connection it ought to be noted that some of the greatest advances in prices have been made in articles upon which there is no tariff. Building materials have increased in cost, especially lumber, but there is no tariff on lumber. Leather has increased in price, but there is no tariff on leather nor on the boots and shoes or work harness made from it. Agricultural implements are far higher in price over 1913, but there is no tariff on them. On the other hand, the farmer sells much more than he buys, and allowance should be made for this fact. On the whole, the conclusion must be that the American farmer, instead of losing by reason of there being a protective tariff, has greatly benefited thereby.

Whether some of the rates should be changed is another question. The Tariff Commission has authority under the so-called flexible tariff provisions of the present law to adjust the rates when found to be too high or too low.

Mr. PARKER of New Jersey. Mr. Speaker, by the Constitution the President gives the Congress information on the state of the Union. The Constitutional Convention often went into Committee of the Whole on the state of the American Union.

The United States are not spoken of as the "Union" anywhere else in the Constitution. Following the example of Parliament as to the King's speech, it was the custom of each House of Congress to go into Committee of the Whole on the state of the Union. No business was before it, debate was general not only in the sense that it was not limited in subject, but that everybody could speak that was recognized. After 1832 it was only for debate on the President's message. Before that date resolutions were offered covering general principles, and if after debate one of these resolutions was adopted it was reported to the House, who would refer it to a committee for the preparation of a bill. (Jefferson's Manual, sec. 12, and Hinds' Precedents.)

This debate in Committee of the Whole on the state of the Union had the advantage of developing free discussion, a real parliament or talking place, where different topics had reflective consideration and the general principles were thus settled before consideration was had of any special bill. It had the advantage also of allowing that free thought and discussion which now make the strength of the Senate, in spite of the delays which they cause in its proceedings.

A former Speaker of the House, Mr. Grow, was insistent that we ought to return to the old practice of going into the Committee of the Whole on the state of the Union for general consideration and general debate on the President's message and the needs of the times with the understanding that no specific measure would be reported. On the other hand, he urged that when the House was in committee on any special measure the general debate should be confined to that measure. It is not too much to say, judging from our experience in conferences and under the five-minute rule, that valuable debate could be had in Committee of the Whole on the President's message and the state of the Union if the length of speeches were limited to 5 or 10 minutes except by unanimous consent. The present rules of the House result in muzzling some of its most valuable Members who are unwilling to go and ask for time, and the assignment of time is destructive of real debate, where Members answer one another, and was earnestly opposed by our dear friend, the late Member from New York, Mr. Cockran. It is a right thing that the House should from time to time go into consideration of the state of the Union—its needs, its dangers, its promises, and its hopes—without being bound down to any particular bill.

The present state of the Union suggests mingled feelings of hope and fear, joy and sorrow. Its progress has been not only without example but beyond the most ardent hopes of those great men, Washington and Hamilton, who saw the future greatness of that Union even in its small beginnings. Ours is the greatest nation in the world, whether it be judged by its productive power, by its wealth, or by its sound political common sense.

Our flag is the oldest in the world, and it is not too much to say that it floats over a people whose Government has changed less than any other in spite of all the fads and fancies that sometimes prevail.

IT IS REAL AND AMERICAN.

The Union is a real union. We are all Americans. As Washington said:

> The name of American, which belongs to you in your national capacity, must always exalt the just pride of patriotism, more than any appellation derived from local discriminations.

Experiences of the late war have scattered the fears of those who doubted whether those who had come to us from foreign countries were real Americans. The soldiers, the officers, even the generals, were often born abroad. In this House our leader in the war was the present chairman of the Committee on Military Affairs, who was born in Baden. The medals of honor, the citations for distinguished service, the heroic attacks and defense, the wounds and deaths and graves give distinction to men whose names show that they came from every country in Europe. We had a scare at one time about sedition and spying, and some people still sympathize with that scare, but we may truly say that America needs no protection except the feelings of its own people. "Citizens by birth or by choice of a common country, that country has a right to concentrate our affections," as Washington said, and now it does concentrate our affections. We went into the war as a Nation. A free people submitted itself to universal conscription. They not only did so gladly but in any future war that may require like sacrifice we shall have universal conscription not only of soldiers but of workmen and capital and carry on that war as the war of the Nation.

ONE OF INDEPENDENT STATES AND LOCAL SELF-GOVERNMENT.

Our lamented friend from New York to whom I just referred used to insist that it would be well to divide our cities into small districts or wards for purely local matters and allow these wards to determine for themselves how they should be managed within themselves, leaving to the central city government only those matters which had to be managed as a whole, like water supply, through traffic, and so forth. This

notion is perhaps not practical, but it is a really great question as to how the Government which was fit for a nation of farmers and fishermen can be made to work in a nation of mills, railroads, banks, and department stores.

The cost of Government in my own town used to be less than 2 per cent of a half valuation, or 1 per cent of the real selling value. Taxes have multiplied sixteenfold. The city spends it all. The difference is largely in the new things that are done by the cities—the costly buildings, from the city hall to the schoolhouse; the high-priced pavements laid from curb to curb, instead of for a roadway; the continual destruction of these pavements by the automobile truck; and the host of police, of inspectors, of physicians, and of experts of all kinds which attend the present city government. All these give advantages to each citizen of which his forefathers could not dream, but do take away from him the freedom and independence of which those forefathers were so proud.

All this, it may be said, is a matter for the State and not for the United States, who are asked to care for matters which are not for what the Articles of Confederation called the "mutual and general welfare" of the States and the Constitution called the "general welfare" but affect every individual in things which ought to be in charge of his own State and town.

WHICH MUST BE PRESERVED.

The Federal Government, in short, is taking charge of matters which belong under the Constitution to the various States, or even to the town. Various proposed measures would take charge of the schools and the hospitals. It is a real question of the present day how to maintain the life and vigor of our State and local governments.

It is the court, the county, and the town which teach men how to be freemen and how to respect the freedom of others. Crime must be indicted by county jurors and tried by a local jury. Everything will be better done if it is managed by those who see it. Our experiences in the Indian Territory have proved that there are no schools so hard to manage or to inspect as a local school which is controlled from Washington. Localities localize frictions. It is, perhaps, a pity that labor disputes were ever put into the United States courts, because local disputes governed by local conditions have thereby become matters of national concern. In this discussion of the state of the Union it may be fairly said that the Union has been asked and is being asked to carry more than it can fairly bear, and that every patriot should be active and brave in opposing any further invasion of the rights, duties, and powers of the several States over local concerns.

PROHIBITION AND A REASONABLE LAW.

The police powers of the State should not be taken over by the United States.

There is no subject to which this applies more than to prohibition. All good citizens have always believed in the strictest regulation of the liquor traffic, in enforcing temperance and punishing intemperance. Thomas Jefferson thought that the use of light beers and light wines is conducive to temperance, and the prohibition of light wines and beers is resented by intelligent and temperate people as an invasion of their freedom. Indeed, as the eighteenth amendment is now interpreted, it is a prohibition of temperance, for it forbids anyone to be temperate.

That amendment has come. While it remains it is the law and should be enforced, but no law can be enforced unless it is interpreted reasonably. It seems a most unreasonable interpretation of that law to enact that any liquid containing over one-half of 1 per cent of alcohol is intoxicating. The law must deal with the average man and not with the kind of man that would get intoxicated from seeing a bottle of whisky on a shelf across the room. My views on this subject have been known to all. I opposed county prohibition in 1886. I fought for the maintenance of the post exchange in the Army, where soldiers could get beer and light wines in reasonable quantities under proper regulation, and were not tempted to resort to dives outside, where they wasted their pay and spoiled their morals in drunken debauch. I opposed prohibition in the food bill during the war. I voted against the eighteenth amendment. I do not think that the Volstead Act was right or sensible in fixing one-half of 1 per cent as the limit for intoxicating liquor. In my opinion the amendment was not intended to abolish all the divisions between State and United States jurisdiction. The United States and the several States have concurrent power over every citizen, concurrent as to the person and place, but separate as to the subject of the jurisdiction.

Under this construction the States would have power to enforce the amendment so far as manufacture, sale, and use of liquors is concerned, and the United States would have concurrent power to enforce it so far as regards interstate and foreign commerce and the control of the territory of the United States, such as the District of Columbia or Alaska. Any other construction would give the State power over interstate commerce just as it would give the United States power over manufacture and sale. The Supreme Court seems to have held that the United States has such power over manufacture and sale, but there was no opinion. With careful reconsideration it seems quite possible that this view will be reconsidered and that it will be reestablished that there are boundaries of jurisdiction between the United States and State sovereignties, which have concurrent power over every person and place, divided only as to the subject matter of the power.

As Mr. Justice Bradley said in Claflin *v.* Houseman (93 U. S. 130, 136; 1876):

> Every citizen of a State is a subject of two distinct sovereignties, having concurrent jurisdiction in the State, concurrent as to place and persons, though distinct as to subject matter.

In any event the solid common sense of the people will in time bring a change in United States and State legislation by providing a reasonable per cent as the limit of intoxicating liquor. The people will demand a law that public sentiment will enforce.

INDUSTRIAL AND FINANCIAL.

It remains to consider the industrial and financial state of the Union. It takes time to get rid of the effects of a war. These effects are nothing new. After the Napoleonic wars wheat sold in England at 178 shillings a quarter, or over $5 a bushel, when money was worth much more then than it is now. Domestic service became so costly that early pictures in Punch show employers blacking their own boots and doing the most menial service. The United States still has to adjust prices and wages, and if these fall it is likely to be hard and make hard times.

It was eight years after the Civil War when we had the hard times of 1873. Let us hope that no such hard master may come. In any event, we glory in the belief that Americans will stand for honest money, as they did in 1877 when they were in the depths of that other panic, and that we shall maintain the credit and honor of our Government as that credit and honor has been kept since the Constitution was established and as they are now being kept. The industrial and financial state of the Union is in singular contrast to that of Europe.

THE CAPTAIN OF THE SHIP OF STATE.

The Union can only watch and wait. Thank God that we have followed Washington's advice and kept clear of entangling alliances! Thank Heaven that we have not attempted to support the finance of the world, where each nation must work out its own salvation with fear and trembling.

Our ship of state still swims. It is not selfishness to keep out of the fleet of wrecked vessels in which her sides might be broken and she might be sunk. It is not selfishness but world humanity which bids us look to our own chart and our own compasses and safety of our own vessel in order that we may help others that may be in need.

The ship has sailed on during the last two years under the wise guidance of its captain. This administration will be famous in our history. The Treasury has been put on a paying basis. The sick and wounded veteran has been bountifully provided for. Our industries have revived and will be protected by an adequate tariff, which can be adjusted by the President as the times may require. The farmer has been relieved by special legislation for his benefit. The world-wide naval competition has been limited by a conference called by our President and conducted with such courageous generosity that other nations could only say amen. China and Japan have been induced to make peace; South America asks us to arbitrate her differences. We have prosperity instead of depression; and for all this we thank the leadership and wisdom of Warren G. Harding.

Miss ROBERTSON. Mr. Speaker, this bill, S. 3855, which has so ruthlessly been denied a hearing on the floor of this House is one concerning which many of my colleagues will be called upon for explanations as to their individual part in such summary treatment. Telegrams, letters, publicity through newspapers and through club meetings have been ceaseless. I suggest that you fortify yourselves by obtaining copies of Senate Report No. 1175 which accompanies hearings on S. 3865 and S. 4223, bills relative to the Pueblo Indian lands, before a subcommittee of the Senate Committee on Public Lands and Surveys, a volume of 282 pages. Also obtain reports Nos. 1730 and 1748 to accompany the hearings on H. R. 1345 and S. 3855, these hearings being printed in a volume of 413 pages.

Except for a portion of one morning session I was present during the whole of these exhaustive and exhausting hearings before the House committee. They began with the presence

of a full committee membership and with a crowded committee room in which there could not be seated all those who came.

Among those present were men and women interested in all phases of Indian welfare, as well as those especially concerned with legislation for the Pueblos.

From my personal and inherited experience as a member of the American family preeminent in its record of three generations through a century of Indian missionary service, it was no surprise to me that day by day zeal and ardor diminished on the part of these representatives until even the last timid little newspaper reporter disappeared.

The Pueblos are people who never sustained treaty relations with the United States, having come under our laws as did all other Mexican people. It is true that an Indian agent in 1850 had certain negotiations with the Pueblos which resulted in a tentative treaty which never was completed and was not held binding by the Pueblos themselves. I quote from pages 2 and 3 of the report:

Upon the acquisition by the United States from Mexico of the territory now comprising the State of New Mexico these Indians and their lands came under the jurisdiction of the United States, and in 1859 Congress confirmed the Spanish grants to the Indians, subject, however, to any valid adverse rights should any exist.

The status of these Indians as to whether or not they were wards of the Government was not definitely settled until 1913.

There was great difference of opinion as to their character and intelligence. In the case of United States *v.* Joseph (94 U. S. 614) the Supreme Court of the United States, speaking of these Indians, said:

"The character and history of these people are not obscure, but occupy a well-known page in the story of Mexico from the conquest of the country by Cortez to the cession of this part of it to the United States by the treaty of Guadaloupe Hidalgo. The subject is tempting and full of interest, but we have only space for a few well-considered sentences of the opinion of the chief justice of the court whose judgment we are reviewing.

"For centuries," he says, "the Pueblo Indians have lived in villages, in fixed communities, each having its own municipal or local government. As far as their history can be traced, they have been a pastoral and agricultural people, raising flocks and cultivating the soil. Since the introduction of the Spanish Catholic missionary into the country, they have adopted mainly not only the Spanish language but the religion of a Christian church. In every pueblo is erected a church, dedicated to the worship of God according to the form of the Roman Catholic religion, and in nearly all is to be found a priest of this church, who is recognized as their spiritual guide and advisor. They manufacture nearly all of their blankets, clothing, agricultural and culinary implements, etc. Integrity and virtue among them is fostered and encouraged. They are intelligent as most nations or people deprived of means or facilities for education. Their names, their customs, their habits, are similar to those of the people in whose midst they reside or in the midst of whom their pueblos are situated. The criminal records of the courts of the Territory scarcely contain the name of a Pueblo Indian. In short, they are a peaceable, industrious, intelligent, honest, and virtuous people. They are Indians only in feature, complexion, and a few of their habits; in all other respects superior to all but a few of the civilized Indian tribes of the country and the equal of the most civilized thereof. This description of the Pueblo Indians, I think, will be deemed by all who know them as faithful and true in all respects. Such was their character at the time of the acquisition of New Mexico by the United States; such is their character now.

"At the time the act of 1834 was passed there were no such Indians as these in the United States unless it be one or two reservations or tribes, such as the Senecas or Oneidas of New York, to whom, it is clear, the eleventh section of the statute could have no application. When it became necessary to extend the laws regulating intercourse with the Indians over our new acquisitions from Mexico, there was ample room for the exercise of those laws among the nomadic Apaches, Comanches, Navajoes, and other tribes, whose incapacity for self-government required both for themselves and for the citizens of the country this guardian care of the General Government.

"The Pueblo Indians, if, indeed, they can be called Indians, had nothing in common with this class. The degree of civilization which they had attained centuries before their willing submission to all laws of the Mexican Government, the full recognition by that Government of all their civil rights, including that of voting and holding office, and their absorption into the general mass of the population (except that they held their lands in common), all forbid the idea that they should be classed with the Indian tribes for whom the intercourse acts were made, or that in the intent of the act of 1851 its provisions were applicable to them. The tribes for whom the act of 1834 was made were those semi-independent tribes whom our Government has always recognized as exempt from our laws, whether within or without the limits of an organized State or Territory, and, in regard to their domestic government, left to their own rules and traditions; in whom we have recognized the capacity to make treaties and with whom the Governments, State and National, deal, with a few exceptions only, in their national or tribal character and not as individuals.

"If the Pueblo Indians differ from the other inhabitants of New Mexico in holding lands in common and in a certain patriarchal form of domestic life, they only resemble in this regard the Shakers and other communistic societies in this country, and can not for that reason be classed with the Indian tribes of whom we have been speaking."

However, in the case of United States *v.* Sandoval (213 U. S. 28), the Supreme Court took a different view of these Indians and held they were wards of the Government. In that case the court said:

"The people of the pueblos, although sedentary rather than nomadic in their inclinations and disposed to peace and industry, are nevertheless Indians in race, customs, and domestic government, always living in separate and isolated communities, adhering to primitive modes of life, largely influenced by superstition and fetichism and chiefly governed according to the crude customs inherited from their ancestors. They are essentially a simple, uninformed, and inferior people."

Speaking of its previous opinion in the Joseph case the court said that the observations there made as to the character of these Indians "were evidently based upon statements in the opinion of the Territorial court, then under review, which are at variance with other recognized sources of information now available."

Up to the time of the decision of the Sandoval case in 1913, it had been assumed by both the Territorial and State courts of New Mexico that the Pueblos had the right to alienate their property. From earliest times also the Pueblos had invited Spaniards and other non-Indians to dwell with them, and in many cases Pueblos and individual Indians attempted to convey lands to non-Indians which under the decision in the Sandoval case they were not competent to do. As a result there are now approximately 3,000 claimants to lands within the exterior boundaries of the Pueblo grants. The non-Indian claimants with their families comprise about 12,000 persons. With few exceptions the non-Indian claims range from a town lot of 25 feet front to a few acres in extent. It was stated, however, in the hearings by all parties that probably 80 per cent of the claims are not resisted by the Indians, and only about 20 per cent of the number will be contested.

The appeal sent out by "an Eastern Association of Indian Affairs" "to protect the threatened rights of the American Indian"—no date given, presumably some time in the autumn of 1922—I quote from as follows:

Its immediate task is the defeat of the iniquitous United States Senate bill 3855, which slipped through the Senate without a public hearing September 11, 1922. It is now in the House Committee on Indian Affairs. If it is reported favorably and passes the House, the Pueblo Indians of the Southwest will be robbed of their ancient land and water rights, successively confirmed by the Spanish, the Mexican, and the United States Governments. To annul these rights is to destroy the Pueblo Indian. The bill is, in fact, a betrayal of a Government trust, and it should not and can not be countenanced by anyone, regardless of party, who has any sense of justice or even an elemental conception of the duty of the Government toward the Indians.

The culture of the Pueblo Indian is unique, and without doubt the most complete expression of a stimulating group of psychology in arts and ceremonies to be found anywhere in America. Musicians go to the pueblo villages to study the songs, painters to picture the communal life. This irreplaceable culture, which enriches the Nation and should be conserved with intelligent care, is in immediate and grave danger.

It is perhaps impossible for me to make plain my personal viewpoint of this whole question. Throughout all America there seems a great distaste toward settling down to local responsibilities and duties of citizenship. The aftermath of war is still upon us and shows in the restlessness of many thousands who after the thrill and excitement of public speaking or of eager listening are ready to lay new burdens upon the General Government, to demand new expenditures from the depleted American Treasury, and lay increased taxes all unwittingly upon their own shoulders. All this in the name of justice.

During these Pueblo hearings it developed that the General Federation of Women's Clubs has in its division of industrial and social conditions a subcommittee the purpose of which may be inferred from the printed letterhead used by its chairman.

The following is copied from the letterhead:

A group of organized women in every community who can be depended upon to promote movements looking toward the betterment of life; General Federation of Women's Clubs, 1922–1924; president, Mrs. Thomas G. Winter, 2617 Dean Boulevard, Minneapolis, Minn.; general headquarters, Miss Lida Hafford, director, 1734 N Street, Washington, D. C.; department of public welfare, Mrs. Elmer Blair, chairman, 129 Wadsworth Avenue, New York City; division of industrial and social conditions, Mrs. Frank Ellis Humphrey, chairman, 467 Ralston Street, Reno, Nev.

Committee on fire protection: Miss Lloyd Marshall, chairman, 45 West Eleventh Street, New York City.

Committee on Indian welfare: Mrs. H. A. Atwood, chairman, Riverside, Calif.

Committee on industrial and business relations: Miss M. Lillian Williamson, chairman, 1201 Q Street NW., Washington, D. C.

Committee on institutional relations: Miss Julia K. Jaffray, chairman, 2 Rector Street, New York City.

It will be noticed that the explanatory heading of this letterhead says "A group of organized women in every community who can be depended upon to promote movements looking toward the betterment of life."

As I myself am one of these "organized women in every community" through federated club membership, I must speak with all due modesty. I can not forbear, however, to call attention to the marked recognition given the federation by the appointment of its president, Mrs. Thomas G. Winter, of Minnesota, as a member of the advisory committee of the Board of Limitation of Armaments. Also, by her having been suggested for membership in the President's Cabinet, for candidate for United States Senator, and last, but by no means least in its significance, by a recent statement attributed to her in public prints, of which I have seen neither denial nor confirmation over her own signature; she is said to have received an offer of $250,000 if she would "line up" the federated clubs in favor of certain legislation.

No president of an organization so far-reaching, so broad in its scope as is the Federation of Women's Clubs could possibly justify herself to the membership of the federation or to the American people if she failed to give all the facts

in the case such publicity as would prevent any repetition of the "rotten politics" indicated in such a proposition.

Mrs. Atwood, of the Indian welfare committee, actuated, as I can not question, by noble and sincere motives, upon hearing that there was need among the Pueblos, immediately determined upon assuming activities in their behalf. The examinations of witnesses before the House Committee on Indian Affairs, as well as those before the subcommittee of the Senate Committee on Public Lands and Surveys, show beyond question how Mrs. Atwood was misled as to the real needs of the Pueblos. In the Senate hearings she described herself as "more historic minded than legal minded, which was natural, being a woman." This characterization of herself is proven as correct by the manner in which she allowed the affairs of her subcommittee to be administered.

I copy here the membership of the Committee on Indian Affairs for the Sixty-seventh Congress:

Homer P. Snyder, New York, chairman; Philip P. Campbell, Kansas; Royal C. Johnson, South Dakota; Frederick W. Dallinger, Massachusetts; Albert W. Jefferis, Nebraska; R. Clint Cole, Ohio; John Reber, Pennsylvania; Alice M. Robertson, Oklahoma; E. O. Leatherwood, Utah; Nestor Montoya, New Mexico; L. M. Gensman, Oklahoma; Sidney C. Roach, Missouri; Washington J. McCormick, Montana; Olger B. Burtness, North Dakota; Dan A. Sutherland, Alaska; Carl Hayden, Arizona; William J. Sears, Florida; Zebulon Weaver, North Carolina; F. B. Swank, Oklahoma; Ross A. Collins, Mississippi; Hampton P. Fulmer, South Carolina; Morgan G. Sanders, Texas; H. E. Devendorf, clerk.

With the exception of the chairman, Mr. SNYDER, and myself, this committee is entirely made up of lawyers and these lawyers represent constituents from Massachusetts to Arizona and from North Dakota to Texas, so that from regions where interest in the Indians arises from the work of church missionary societies or scientific students to those where the relations of Indians protected—or neglected, possibly, though not probably—in their rights to water, to school privileges, to suffrage, to exemption from taxation, often tend to produce tense situations.

The summing up of the hearings before the Indian Committee I quote from Report 1748:

That Stella M. Atwood, of Riverside, Calif., is the chairman of the Indian welfare committee of the General Federation of Women's Clubs.

That Mrs. Atwood was treated courteously by the Secretary of the Interior and by the Commissioner of Indian Affairs at all times, and her desire for information was facilitated by the officials.

That in the Pueblo matter she employed one John Collier, who became known as research agent of the General Federation of Women's Clubs.

That John Collier employed Mr. Francis C. Wilson, of Sante Fe, who assumed thereafter to be the attorney of the General Federation of Women's Clubs.

That John Collier spent many weeks among the pueblos, visiting each one, and holding meetings and exhorting the Indians.

That on November 5, 1922, at the instance of Mr. Collier, all of the several pueblos met, through delegates elected, at Santo Domingo, where a council was held which was attended by John Collier and Mr. Francis C. Wilson.

That at the Santo Domingo council a general appeal was framed and signed by representatives of each of the pueblos, which appeal was published and widely circulated.

That in December, 1922, Mr. John Collier came to Washington; that he was contributing articles describing the alleged condition of the Pueblo Indians, and particularly articles in the Sunset Magazine, which contain sensational statements, and statements, by implication at least, assailing the integrity of officials in the State of New Mexico as well as the officials of the Government.

That in January, 1923, 17 Pueblo Indians were brought to Washington, accompanied by Mr. Francis C. Wilson, attorney, and Mrs. Stella M. Atwood, chairman of the Indian welfare committee of the General Federation of Women's Clubs; that there was also in the party a Rev. Father Shuster, a Franciscan friar from the pueblo of Laguna; that the Indians were dressed in attractive and gaudy manner, said to be their ceremonial attire, and they were exhibited at meetings or functions in the city of Washington, later in New York City, and then Chicago.

That on the occasion of these meetings John Collier, Mrs. Atwood, and others delivered addresses and an appeal was made for funds, and that more than $6,000 was collected in this manner and paid to Mrs. Atwood.

That in addition to the moneys collected by Mrs. Atwood, other organizations were formed and were soliciting funds—among others, the Eastern Association of Indian Affairs in New York City—and appear to have collected about $2,300; that one Judson King issued an appeal, using the Collier propaganda, asking for contributions; there is no report as to what he may have collected.

To me Mr. Collier was an extremely interesting study. I insert here his introduction of himself in beginning the 75 pages of his testimony before the committee:

Mr. COLLIER. My name is John Collier; home, Mill Valley, Calif., a suburb of San Francisco. I am here as the research agent of the Indian welfare committee of the General Federation of Women's Clubs, of which Mrs. H. A. Atwood is chairman.

The CHAIRMAN. Do you represent any other organizations?

Mr. COLLIER. Not in any explicit manner.

The CHAIRMAN. But do you represent any other organizations in any capacity?

Mr. COLLIER. I have merely a relation of cooperation and acquaintanceship with, I think, all of the organizations doing Indian work, such as the Chicago Indian Rights Association, the Pueblo Defense Committee in New York, and the Eastern Association on Indian Affairs, but I am not an officer or member of any of them.

The CHAIRMAN. But you are doing some work for them now?

Mr. COLLIER. No; except as my work may assist them or their work may assist Mrs. Atwood's organization.

The CHAIRMAN. It is not my intention to ask you any questions, at least at this moment, but I think it would be well for you in starting your statement to begin with your connection with this particular work.

Mr. COLLIER. That I was going to do.

The CHAIRMAN. You may make your statement in your own way.

Mr. COLLIER. I desire to state about my own connection with the Indian problem——

The CHAIRMAN (interposing). By the Indian problem do you mean Pueblo matters?

Mr. COLLIER. That is what it leads up to. I began with the Pueblos November 1, 1919, when I resigned from the position of director of community organization for the commission on immigration and housing of the State of California and went with my family, my wife and three boys, into the Pueblo country. My wife and myself are both social investigators by training. We spent from September, 1919, to August, 1920, in the northern pueblos—that is, the pueblos north of Santa Fe, with Taos as our most frequent center of operations. During that time I, with my wife, made an intensive study of the Pueblo customs and conditions. Thereafter I returned to California. Our work during that period was voluntary and our expenses were met by ourselves.

He and his wife both "social investigators by training." What did this social investigation among the Pueblos lead up to?

First of all, to publicity and financial profit for himself, largely secured through his innocent and kindly dupe and victim, Mrs. Atwood.

I quote from Mr. Collier in the January issue of the Sunset Magazine:

The Pueblos through their councils and governors have protested unceasingly, a vain, despairing protest across 200 years. The civil authorities—corrupt, inert, fearful of the vengeance upon themselves, of the vengeance of the squatters—have refused to eject the trespassers.

Two hundred years, and no trained social investigator until now.

So far as I know no effort was made to bring before the House committee the delegation of Pueblos which Mr. Collier brought to Washington, though I did see them in many poses in the illustrated newspapers. These perishing people were able to advance from their personal funds $2,800 for their traveling expenses.

I have seen really wronged Indians who had suffered every conceivable injustice, who, crushed—not conquered—in war, had had millions of acres taken from them, who had been driven into exile, only to be followed thither by more oppression. The impossibility of securing $10 for traveling expenses of Indian delegates prevented the turning down of the iniquitous treaty of 1866 by which the Creek Indians were robbed of millions of dollars. The Creeks were without the barest necessities of life, and famine and pestilence stalked grimly among them. Had a delegation from them been sent to Washington in protest, the only garb possible for most of them, whether soldiers of the Union or of the Confederacy, would have been the tattered blue of cast-aside Federal uniforms.

I examined carefully the Jones-Leatherwood bill, prepared by the Collier following. It is what is to be expected—such at least has been my own conclusion from the many "social investigator" measures which march in ever-increasing numbers toward the United States Treasury. Salaries of commissioners and judges, of clerks and stenographers, appropriations for armies of laborers—and incidentally voters—in irrigation projects. In the Collier articles and in all his accompanying actions his ostrichlike attitude seems to me ill concealed in the sand of an alleged humane interest—a real early start of the political campaign of 1924. I even go a little further and say that "weather indications" are that we shall soon have great claims from California of Indians despoiled to the extent of so many millions of dollars as will make all past legal speculation in Indian claims pale into insignificance.

The evidence before the two committees—Senate and House—showed conclusively that whereas the alarm call for aid for starving human beings and their live stock, their source of support, when the ready response of generous givers followed in sums for which no one seems to have been officially accountable, and the total of which could not—possibly businesslike accounting of other people's benefactions is not included in the training of "social investigators"—be determined from anyone. Admittedly over $6,000 was raised and of this amount the closest questioning failed to show that more than $400 had been sent to the Indian sufferers in New Mexico.

Mr. Collier has much to say of the beautiful, mystic rites and religious ceremonies of the Pueblos and quite naively after telling of them he went on to say that he and his wife desired that their three boys might be made members of the tribe and admitted to their secrets in the perpetuation of these rites, be-

cause of the benefit it would be to the boys. To their regret the adoption was not in accordance with their unwritten laws, and they were not admitted.

In the March number of the Sunset Magazine, Mr. Collier has many things to say about the Indians of Oklahoma, which are so false that their publication is unaccountable, or would be if through all the Pueblo affairs there had not so evidently been the great underlying purpose of discrediting the Interior Department, the Office of Indian Affairs, and the Congress of the United States.

No one living has probably a better right to question Mr. Collier in his statements than I.

In support of my claim I make no apology for presenting the following family history: In 1825 my maternal grandfather with his bride went from New England to Georgia as a missionary to the Cherokee Indians. The especial work to which he was assigned was to utilize the Cherokee alphabet—the matchless work of Sequoyah, one of the greatest of Americans—in preparing for the Cherokees a literature in their own language. A few years later came the exile of the Cherokee people. No darker page can be found in American history than this story of the Cherokees—a story indelibly burned into my mind as I heard it in my early childhood from those who had lived through where thousands perished. My grandfather, ordered to leave the Cherokees, refused to forsake his gospel ministrations among them at the mandate of the State of Georgia, of which State he was not a citizen, and was arrested, tried, and sentenced to four years' hard labor in the penitentiary. The case was appealed in the courts and, on the ground that the State had no jurisdiction in the land of the Cherokees, was decided in the Supreme Court of the United States in his favor. The then President, Andrew Jackson, in sympathy with the State of Georgia, ignored this decision. The Governor of Georgia said the Supreme Court had nothing to do with the sovereign State of Georgia, and my grandfather and another missionary remained in the penitentiary at hard labor until, after serving two of the four years to which they were sentenced, they were pardoned by the governor and went West with the Indians. Until his death my grandfather continued his work, results of which still live among thousands of Cherokees.

My father in 1849 came as a missionary to the Creek Indians, the neighbors of the Cherokees, and my mother upon her marriage to him joined him in like work for these Indians, whose language was entirely different from that of the Cherokees. In the War between the States my father's family became exiles and refugees and, as again and again war has laid its heavy hand upon these Indian people, we, their missionaries, suffered with them. In my immediate family in the 98 years of our missionary history 26 persons have been engaged in religious and educational work among them. I have seen the evolution of the Indian, and I know of actual personal knowledge, through a life fast approaching the allotted three score years and ten, the story of the Indians of the Five Civilized Tribes.

There are among them to-day no less interesting examples of Indian communities than are found among the Pueblos. The inherited religion of these people is beautiful in its simplicity and near akin to the Christian religion. They were not, are not, pagans, but men whose so-called vices are really the primitive virtues. They worship the Great Spirit; they live a communal life that is beautiful in its hospitality and golden-rule simplicity, and which, if such a life may continue to be practicable under the laws of Oklahoma, will yet be worked out to an ideal condition. Gathered around their sacred fires, the mystic ceremonies of their faith are not so far remote from Christianity but that the acceptance of the Christian religion comes without violent reaction to them.

The ceremonial dances of men, of women, and of both sexes are strangely appealing in their stately dignity; the athletic games of youth and older people are marvelous in their clean, fine intercourse of the sexes. Crime is abhorrent to them, and liquor, the source of most Indian troubles, is never tolerated at their gatherings. These people have had arbitrarily conferred upon them American citizenship and individual ownership of land. Through their own efforts they are adapting themselves as nearly as may be to living their own life under these undesired conditions. They can not understand why faith was broken with them when communal rights to the home they bought in this western land were guaranteed in the deed to be theirs "so long as grass grows and water runs." They can not understand how even the treaty acceptance by the larger portion of their fellow tribesmen could take from them the rights of communal ownership they still claim. They are an intelligent people, who keep the records of their council in their own language. This condition is paralleled in almost every particular among a branch of the Creeks. The tragedy of the Five Tribes has been that there are cases in which educated Indians have failed in honor toward their own tribesmen who have—and for the sake of gain—allowed them to become the prey of unscrupulous grafters. But, as one of this class of educated Indians once said to me, "You can not protect ignorance from itself"; and this has been the plea: "If I don't rob them somebody else will."

My practical knowledge of Indian affairs is not confined to missionary work among the Five Tribes. I went directly from college to the Indian Office in Washington, where I spent six years of service—the first woman to enter upon actual duty in that bureau—the salary enabling me to help my parents in the education of their younger children, till this need no longer existing I went again into actual school work. Two years were spent at the Carlisle School, from which I was called back to the Indian Territory by the death of my father, which followed closely the destruction by fire of the mission where so many years of his life had been given to a boarding school for 100 Creek boys and girls. He left me the sacred legacy of continuing his work. I could not preach, but I could try to carry out some of his unrealized ideals. So under the auspices of Presbyterian Home Missions I was enabled to raise funds for the building of several schools. All moneys raised were paid directly to the mission board, and paid out by them. We built cottages in which there was the family life and an individuality which should render more successful the fight against trachoma and tuberculosis. I have seen little children come to these cottage homes dirty and vermin infested. Many of these little children are now useful citizens of Oklahoma—home makers, useful wives and mothers, farmers, teachers, ministers of the gospel.

After changes caused by the Curtis Act I was for five years the Government supervisor of Creek schools.

During all these years I have seen that wonderful progress among the people of the Five Tribes, of which I may give a personal illustration, in the history of one of my schools which grew from two little girls into what is now the University of Tulsa.

While connected with the Indian Office I utilized my time out of hours in learning shorthand, and on returning to the Indian Territory was for years the only shorthand writer in the Territory. I was called upon in many an emergency to keep an official record of important Indian councils and investigations. As a result of my efforts in connection with the work of a Government commission to make peace between two warring factions I found such favor when a satisfactory agreement was written out by me for the commission that later at a peace council of many tribes I was invited to be present and through participation in their sacred ritual to become one of their organization. As I could not smoke the resplendently decorated peace pipe in one part of the ritual I was directed to lay it above my heart instead. I have kept watch through the years of the tribesmen with whom I took the peace obligation so long ago—an obligation never broken. I believe I am the sole remaining survivor. I, too, have kept the peace faith. In the fulfillment of duty as I see it I protest against such action as Mr. Collier and his kind would take in depriving many thousands of helpless Indian people of the strong defense they can receive through the Interior Department.

These my last words as a Member of the Sixty-seventh Congress are in defense of the means used by our Government for the protection of the Indian people. I do not claim perfection—that is not found anywhere—nor that the employees of the Indian Department are all what they should be, but the machinery is the best now obtainable, and friends of the Indian should take an intelligent interest and through actual knowledge aid by helpful cooperation.

Mr. SABATH. Mr. Speaker, in the waning hours of the Sixty-seventh Congress, a record four-session Congress, I can not help but give vent to my opinion and observations of the action of the majority in the consideration of measures affecting immigration.

I feel that I am safe in saying, Mr. Speaker, that this Congress has not conscientiously, wisely, and sanely considered this most important question which so vitally affects the needs and welfare of our Nation. Blinded and swayed by prejudice, by the hue and cry of the professional immigration restrictionists, by the after-the-war hysteria propagandists, who have clamored for total restriction, the Congress has failed to enact such needed legislation as would prevent the continued separation of the families of American citizens and American soldiers. I should rather say that they failed to rectify the terrible injustice committed in the passage of the act of May 19, 1921, which

failed to exempt the wives and children, parents, and grandparents of American citizens from the quota limitations. To-day thousands of wives, children, and parents of American citizens and American soldiers are suffering and starving on the other side, unable to obtain visé; others estopped at the ports of embarkation, after traveling thousands of miles to such ports, to depart for the United States; and those of that heart-rending and pitiful class who have arrived at the portals of Ellis Island, all of whom can not enter our liberty loving country because they are declared in "excess of the so-called 3 per cent quota." This Congress has turned the "stone ear" to these supplicants who are entitled to every consideration by reason of their being blood kin. Must the thought be harbored that this Congress has deliberately delayed the amending of the hastily and ill-considered, yes, inhuman act of May 19, 1921, so that the wives and children would be prevented from joining their loved ones? It is true that the House committee favorably reported H. R. 14273, which exempted from the quota limitations any immigrant who is the husband, wife, father, mother, unmarried minor brother or sister, or unmarried orphan niece or nephew of a citizen of the United States, and also extended exemption to an immigrant who is the husband, wife, or unmarried minor child of an alien permanently resident in the United States for at least two years who had filed his declaration of intention.

This bill to a degree would have eliminated the many hardships caused by the present vicious act. Of course the bill also contained other features which, to my mind, would have eliminated the tremendous hardships to which the present law subjects thousands of well-meaning and, under the law, admissible aliens, who, due to the unworkability of the present law, are frequently held at Ellis Island for 30, and in some instances 60, days, and thousands of them deported because the number that can come in in one month from any of these countries had been reached. Any person who has given this question and these abuses and hardships thought or consideration, or is acquainted with this inhuman treatment, can not but resent the hardships and suffering to which these people are subjected. And especially it must be borne in mind that the majority of them are the fathers or mothers, wives, and children of American citizens and in many cases of American soldiers who volunteered to sacrifice their lives for our country.

Several of the provisions in the proposed reported bill would have eliminated these unnecessary hardships; and though the percentage has been reduced from 3 to 2 per cent, I feel if the consideration of it had been permitted by Republican leaders that the same would have passed, though I myself am unalterably opposed to the provision which is based upon the 1890 census, which is, as I have stated in the minority report, a willful and deliberate discrimination against the so-called newer immigration, such as Polish, Bohemian, Lithuanian, Jewish, Slovenian, Hungarian, Italian, and so forth.

Mr. Speaker, it can not be denied by any Member of this House that the reason for the existing labor shortage is directly attributable to the unworkable provisions and limitations of the present restrictive immigration act. Can it be humanely considered by any body of reflecting or thinking men that a man—it matters not in what station of life he may be—in order to engage successfully in his life's work, will not demand the presence of those near and dear to him—his wife and children—that it is his greatest and sovereign right that no man-made law can overcome? Can it be claimed that the working of the present law has been in conformity with truth, propriety, and justice?

Is it possible that the membership of this House, having received the fair and unbiased reports of our labor and immigration officials of the terrible existing conditions created by the carrying out of the present act, is still immune to the torture and mental anguish of those who entered our portals at Ellis Island, who have gazed upon our land of sunshine and liberty, only to be torn from the reach and stretching arms of their loved ones and to be returned to the port from whence they sailed? It requires, Mr. Speaker, no process of deduction on the part of any fair-thinking Member of this House to realize that the cause for the exodus of the overwhelming number of male laboring immigrants is because of the failure of the committee to consider at the time the present act was passed the incorporation of that humane provision which would prevent the continued and enforced separation of the families of those who constituted the labor-producing force of our Nation. They failed utterly to consider the cause for the emigration or departure from this country in the past two and one-half years of over 100,000 male immigrant laborers, and neither did they calculate that under the present law it would take five or more years before a like number of laboring immigrants could be again admitted to take the places of those who left. In short, Mr. Speaker, the reason for the large emigration of laboring immigrants is due to their inability to bring their families to this country. They have departed to their native homes to prepare for their coming to this country, but find that the visé requirements and the quota limitations prevent their coming at this time. Thus they wait their turn on the other side. It has taken nearly two years for the uncontroverted fact to be borne upon the minds of those responsible for the enactment of the immigration-restriction law that human injustice has been done; that the very prosperity and welfare of our Nation is in jeopardy by reason of the stoppage of labor immigration and the emigration of those who have been unable to bring their families to the United States. It is but proper, and perhaps will serve to enlighten a large part of the membership who are unfamiliar with the present chaotic labor conditions, to hear or read the expression of some of the foremost manufacturers and employers of labor in this country. The following from George D. Roper, president of the George D. Roper Corporation, Rockford, Ill.:

With the laws in force now regarding immigration the manufacturers will not be able to bring their production to a level to meet increasing business, due to the fact that all skilled labor requires a certain proportion of unskilled labor which is not available at this time.

It is very essential that the quota of immigrants to this country be increased, and the aliens returning to their respective countries should be taken into consideration in arriving at the number allowed to enter here.

I also submit a letter received from R. C. Marshall, jr., general manager of the Associated General Contractors of America, with offices in Washington, D. C., whose views will serve to show the danger of curtailment in the building and construction industries this coming year by reason of the positive and certain common-labor shortage:

THE ASSOCIATED GENERAL CONTRACTORS OF AMERICA, INC.,
Washington, D. C., November 21, 1922.

Hon. ADOLPH J. SABATH,
House of Representatives, Washington, D. C.

MY DEAR SIR: Inclosed herewith is a copy of Index of November 11, on the last page of which are some statistics in connection with the present operation of the immigration laws. From this you will note that there is a net decrease of 65,000 in common labor in this country for the 13 months ending July of this year. Conservatively estimated, we need 100,000 additional common laborers every year to make up for actual losses, so that the net loss during that period was at least 165,000.

Obviously that is a very serious situation, and if continued for many years will have a marked effect on our whole national existence. That the present immigration law is not working to the advantage of the country is apparent.

Very respectfully, R. C. MARSHALL, Jr.,
General Manager.

I also insert the comment of Ross Bowles, secretary-manager East Side Employers' Association, East St. Louis, Ill.:

We are at present in need of common labor for industrial work. A careful survey will show that our industries are operating about 75 per cent normal working force, but with a labor shortage under these conditions it would be considerably more drastic when industries are ready for normal operations.

Outside of industrial circles there is a general belief that we do not need any immigration, and it is going to be some job to convince our educators, preachers, and professional men and general public that it is necessary to increase immigration in order to keep industry moving. That is a big task and must be done in a big way.

The following telegram was sent to me at the time when the Committee on Immigration and Naturalization of the House was holding hearings, upon the conclusion of which a bill was to be drafted providing for permanent immigration legislation:

CHICAGO, ILL., *February 6, 1923.*

Hon. ADOLPH J. SABATH,
House of Representatives, Washington, D. C.:

Sound immigration law and policy of greatest importance to industrial prosperity and stability of country. Such law should be responsive to our economic needs while safely protecting our social structure. Manufacturers vitally interested in this matter and keenly alive to social as well as economic needs. Urge you to introduce and support resolution for appointment of competent commission by President to study immigration problem in light of our economic needs and present world conditions, such commission to report by January 1, 1924, so that a permanent law may be enacted on basis of report effective when present emergency law expires July, next year.

NATIONAL METAL TRADES ASSOCIATION.

Not only is there a shortage of common labor but also that of the domestic class. The womanhood of the United States is suffering because they are unable to obtain the services of domestic servants. Mr. Augustine Davis, president of the Davis Equipment Corporation, sums up this phase of the seriousness of the situation by remarking:

The mothers in our own country generally find it next to impossible to obtain the aid necessary to care for their families properly.

The extreme difficulty in securing such assistance results in imperfect home sanitation, neglect of children, ill health and despondency in overworked mothers, unsatisfactory food preparation, lessens desire to home ownership, discourages marriage, increases unhealthy and boarding-house life, tends to the disruption of families, leads to divorce, and is no small factor in "race suicide," all of which has a most detrimental effect on the morals and progress of our people.

And yet, Mr. Speaker, despite these reports and others of similar nature which have come to the notice of the Committees on Immigration and Naturalization of both Houses during the past 18 months, this Congress has neglected to correct the human injustice that has been done, nor have they wisely enacted a measure which would alleviate or prevent a labor shortage which is bound and certain to affect the welfare and prosperity of our Nation.

I also refer to the statement made by Nicholas Murray Butler, president of Columbia College, in New York City, as follows:

If the present narrow and unreasonable immigration policy be continued, the United States will in less than a generation face an economic crisis of the greatest magnitude. Our agriculture, our wage-workers, our industries, and our system of transportation would all be embarrassed to the point of disaster through inability to find sufficient willing workers to take the place of those who will of necessity disappear during the next few years.

Though House bill 14273, favorably reported by the House Committee on Immigration and Naturalization, failed to be considered, I desire to submit, for insertion in the RECORD, the views of the minority. The minority report I hope will be read by the new incoming membership, who at the beginning of the regular session of Congress will be called upon to consider and act on a measure which should be drafted to rectify the defects and inhuman provisions of the present restrictive law. I am satisfied that the new incoming Members will treat this important question without bias and with full consideration of the imperative needs of industry, so that the welfare and prosperity of our great country may be assured.

VIEWS OF THE MINORITY.

The undersigned members of the Committee on Immigration and Naturalization dissent from the report of the majority on H. R. 14273, which is offered as an amendment to S. 4092.

Ever since the 3 per cent restriction quota law and its amendments went into effect, just complaints from every section of the country have been registered against its harsh, inhuman, and unworkable provisions. This was recognized by the Secretary of Labor and the Bureau of Immigration, who were compelled to urge the temporary admission of the wives and children of American citizens and declarants who had not been permitted to enter under the law, owing to its drastic provisions. Public opinion forced the adoption of two amendments which permitted the entry of several thousand Armenian refugees, yet a large number of refugees, as well as the wives and children of American citizens, were deported when the quota of 3 per cent had been reached. No consideration was given to the fact that many of them had left their homes long before they had any reason to believe or expect that the quota of the country of their nativity would be exhausted and although they had received their visés. The bill in a measure aims to remedy the harsh provisions of the present law which caused so much suffering and to prevent in the future a repetition of the same unfortunate conditions. If this provision had been originally adopted, as some of us urged, much of the suffering of those held at Ellis Island and other ports of entry and finally deported would have been avoided. Consequently, we heartily approve the adoption of this provision, which will permit the near blood relatives to enter as nonquota immigrants.

The provision allowing a basic quota of 400 for all countries will prevent the return and deportation of peoples of small countries who especially have suffered under the unworkable provisions of the present law.

We also heartily approve of the provisions providing for the thorough examination and investigation of immigrants in the ports of embarkation before leaving for the United States, as well as the extremely strict provisions which will require immigration certificates. In fact, we favor every provision which tends to strengthen and safeguard entry and make impossible the admission of any individual immigrant who can not in every way comply with every provision of the present stringent immigration laws. We are irrevocably opposed to the admission of even a single immigrant who is not physically, mentally, and morally fit eventually to become a real American citizen.

We do, however, protest against the reduction in the quota from 3 to 2 per cent, and especially against the per cent being based on the 1890 census in lieu of that of 1920 or 1910. We are of the opinion that it is a deliberate discrimination against the so-called newer immigration. If it was not intended to arbitrarily discriminate against the immigration from Austria, Czechoslovakia, Denmark, Italy, Norway, Poland, Rumania, Sweden, and other countries, why did the proponents of the measure take the 1890 census? It is too apparent that it is intended not to reduce immigration from Great Britain and Germany but to completely estop almost all immigration from all of the other countries. At the time when the committee was considering the bill they had before them the actual figures showing what the result would be if the census of 1890 was adopted. It furnishes the most conclusive proof of positive discrimination which can be found. For the information of the House and to prove our contention we submit the following figures showing the number admissible under the censuses of 1890, 1900, and 1910:

Two per cent table.

	Present quota, 3 per cent 1910.	2 per cent 1890.	2 per cent 1900.	2 per cent 1910.
Albania	288	4	21	192
Armenia (R)	230	13	37	154
Austria	7,451	1,103	2,070	4,968
Belgium	1,563	510	660	1,042
Bulgaria	302	61	22	202
Czechoslovakia	14,557	2,031	3,844	9,705
Danzig	301	228	226	200
Denmark	5,619	2,785	3,207	3,746
Finland	3,921	472	1,266	2,614

Two per cent table—Continued.

	Present quota, 3 per cent 1910.	2 per cent 1890.	2 per cent 1900.	2 per cent 1910.
Fiume	71	11	20	48
France	5,729	3,914	3,726	3,820
Germany	67,607	51,227	50,837	45,072
Greece	3,294	47	190	2,196
Hungary	5,638	474	1,105	3,759
Iceland	75	37	44	50
Italy	42,057	3,912	10,176	28,038
Luxemberg	92	58	61	61
Memel	150	114	113	100
Netherlands	3,607	1,637	1,900	2,405
Norway	12,202	6,454	6,757	8,135
Poland	21,076	5,156	7,566	14,051
Eastern Galicia	5,786	870	1,624	3,858
Pinsk	4,284	395	1,045	2,856
Portugal	2,465	474	916	1,644
Rumania	7,419	638	1,444	4,946
Bessarabian Region	2,792	258	681	1,862
Russia	21,613	1,992	5,272	14,409
Esthonian Region	1,348	124	329	899
Latvian Region	1,540	142	376	1,027
Lithuanian Region	2,310	213	564	1,540
Spain	912	91	146	608
Sweden	20,042	9,561	11,672	13,362
Switzerland	3,752	2,082	2,314	2,502
United Kingdom	77,342	62,458	55,717	51,562
Yugoslavia	6,426	851	1,575	4,284
Other Europe	86	5	2	58
Palestine	57	1	4	38
Syria	928	13	67	619
Turkey	2,388	129	384	1,592
Other Asia	81	45	2	54
Africa	122	44	52	82
Atlantic islands	121	41	46	81
Australia	279	120	140	186
New Zealand and Pacific islands	80	42	53	54

It certainly will not be contended by those who favor this measure that the reason for its adoption was a failure of display of loyalty and patriotism of those who came from southwestern Europe. If this apprehension did exist, then the most complete answer destroying such apprehension is found in an article appearing in Colliers, entitled "Eight American soldiers," referring to John N. F. Bilitzki, Lonnie J. Moscow, Aloizy Nagowski, Isaac Rabinowitz, Epifanio Affatato, Wasyl Kolonoczyk, Daniel Moskowitz, and Anthony Sclafoni.

EIGHT AMERICAN SOLDIERS.

(By Samuel McCoy.)

"The heroism of the eight Americans whom I am about to name was duplicated in every one of the hundreds of regiments which were sent from America to serve in France; I name these eight men merely because their war records happen to be before me at the moment and because much has been said of late in regard to the proper qualifications for American citizenship.

"Each of these men was awarded the distinguished-service cross. Twenty thousand men who fought in the same division to which they belonged all acquitted themselves with honor in the face of danger. A thousand men of the division were singled out to appear in the divisional citations for feats of heroism performed in that campaign. But these eight were ranked even higher than all these. They were of the handful who won the distinguished-service cross—a decoration awarded only "for *extraordinary* heroism in action."

"The first man, a sergeant, in the assault launched against the seemingly impregnable Hindenburg line, 'although twice wounded, refused to leave the field, but remained with his platoon, exhibiting magnificent courage and bravery, until he was wounded a third time. His devotion to duty set a splendid example to the men of his company.'

"The second, a corporal, in the same fearful fire of the enemy, 'was an advance scout for his platoon. The platoon was temporarily halted by machine-gun fire from a section of the enemy trench in their immediate front. He rushed through the heavy enemy fire to the trench, and at the point of his rifle compelled 12 of the enemy to surrender. He then signaled for the platoon to advance.'

"The third, also a corporal, 'left shelter, went forward under intense machine-gun fire, and carried a wounded officer to safety. In accomplishing this mission he was severely wounded.'

"The fourth man, a private, first class, 'when the advance of his battalion was checked by heavy machine-gun fire, went forward, with two other soldiers, under heavy fire to reconnoiter the enemy positions. By effective rifle fire they drove the gunners from two machine-gun nests into a dugout near by, which they captured, together with 35 prisoners, including 3 officers.'

"The fifth man, also a private, 'after being severely wounded by shrapnel, took shelter in a shell hole somewhat in advance of his company, from which he had become separated in the fog and smoke. He saved the lives of four of his wounded comrades, who were occupying the shell hole, by throwing live grenades, which had been tossed into the shell hole by members of his own company in the rear, into the enemy's lines.'

"The sixth, a private, 'under heavy shell and machine-gun fire, left the shelter of his trench, and going forward under a thick smoke screen, single handed, captured between 30 and 40 prisoners * * *. Three weeks later in a second battle, after the advance of his company had been stopped by strong, hostile machine-gun fire, he with three companions, advanced far ahead of the front line to attack an enemy position located in a large farmhouse. By skillful maneuvering in the broad daylight they covered all entrances to the house and forced the surrender of the entire force of the enemy, numbering 36 men and 2 officers. During the exploit they killed two of the enemy who attempted to take cover in the cellar.'

"The seventh, a private, 'exhibited exceptional bravery by leaving shelter and going into an open field under heavy machine-gun and shell fire to rescue wounded soldiers.'

"The eighth man, also a private, 'while the advance against the Hindenburg line was at its height, seeing an American machine gun-

ner exposed to the enemy, ran to his assistance. On the way he was seriously wounded, but continued on, reaching the position and using his body to shield the gunner while the latter poured a fire into the enemy. He was wounded three times, finally losing consciousness, but after his wounds were dressed he insisted on leaving the field unaided.'

"The names of these eight American soldiers, all of whom are still living, are John N. F. Bilitzki, Lonnie J. Moscow, Aloizy Nagowski, Isaac Rabinowitz, Epifanio Affatato, Wasyl Kolonoczyk, Daniel Moskowitz, and Antony Sclafoni."

We realize that the committee can not report a bill which would satisfy the two extremes, viz, first, those alarmists and extremists who at all times clamor even against the admission of the wives and children of our citizens and soldiers and who insist upon completely closing our doors to every immigrant, regardless how deserving and desirable; second, the class who for economical, personal, and financial advantages desire that the doors be opened not only to permit without limitation the entry of skilled but of all unskilled labor.

We feel that the adoption of the 1890 census is unjustifiable not only for the reason that it is discriminatory but because it will also prevent the admission of from 60,000 to 75,000 laborers, who will shortly be greatly needed. We are not interested in supplying, as some may term, "cheap labor," but we are deeply concerned in the welfare of the United States, whose prosperity depends upon having at least a sufficient amount of unskilled labor. This can be obtained, in a measure, by using the population figures of 1920 or 1910 as a basis in lieu of the 1890 census, as the majority has adopted. We doubt whether our northern and eastern unskilled labor requirements can be drawn from the South without at the same time injuring the growing southern industries. Surely, under the stringent provisions of the bill, no temporary common labor can be obtained from Mexico, as was done in 1918 and 1919, to relieve the shortage of labor in the cotton and sugar-beet fields in the Southern and Southwestern States.

It can not be truthfully denied that most of the hard, common, and manual work performed in the United States has been done during the past 30 or 40 years by immigrants coming from those countries designated as southern and southeastern Europe. Such work for the past century has always been performed by the then coming immigrants.

As has often been stated on the floor of the House and reiterated in the press of the country, the common understanding was that the present 3 per cent quota law was temporarily enacted for the sole purpose of safeguarding the United States against an anticipated influx of immigrants after the war. Since the enactment of the measure it was shown that many of the fears which were expressed were unfounded in fact, because several of the countries have not even made full use of their quotas. The 3 per cent quota law would have permitted the coming of over 355,000 immigrants, but approximately, in the last year, only 309,556 arrived. Further confirmation of our statement to the effect that those who would be coming would be mainly women and children is shown by the statement of Mr. Wixon, of the Bureau of Immigration, who testified before the Committee on Appropriations as follows:

"That of the 309,556 immigrant aliens admitted during the first fiscal year, 95,846 of that number is represented by unmarried females and 31,980 represented by males under 16 years of age; or, in other words, nearly one-half of the entire number of immigrant aliens arriving is represented by what might be termed as dependent aliens, regarded strictly from an immigration standpoint. Something which surprised me more than anything else when statistics for the last fiscal year were compiled was the fact that our entire net gain in population is represented by 104,326 females and 6,518 males under 16 years of age. By that I mean that the figures given embrace the number of aliens arriving over those departing, and, as will be seen, we did not gain a single male over 16 years of age, the fact being that the number of males over that age departing was considerably in excess of the number arriving. It should be taken into consideration also that of males arriving a large number of them were over the age of 55 years and more or less dependent. In fact, a great number of them were absolutely dependent."

The committee has also refused to make provision for the admission of domestics, admitted by all so greatly needed. We desire to call specific attention to a partial statement made by Mr. Augustine Davis, president Davis Automatic Equipment Corporation, appearing in American Industries, entitled "Need more of the domestic class" (Hearings, 6-C):

"The mothers in our own country generally find it next to impossible to obtain the aid necessary to care for their families properly.

"The extreme difficulty in securing such assistance results in imperfect home sanitation, neglect of children, ill health and despondency in overworked mothers, unsatisfactory food preparation, lessens desire for home ownership, discourages marriage, increases unhealthy hotel and boarding-house life, tends to the disruption of families, leads to divorce, and is no small factor in 'race suicide,' all of which has a most detrimental effect on the morals and progress of our people."

Considerable stress has been laid by the proponents of this measure that during the past two or three years immigration has consisted mainly of women and children. It must be borne in mind that during the entire war period, due to war conditions, it was impossible for husbands to bring over their wives and children. We believe that the highest morality can be attained, and for the best interest of home and country, that the wife and minor children should be under the same roof with the husband. We believe in the uniting of families; it brings peace and contentment; it helps to improve the home life in every community.

After many years of most careful study of the immigration question, and after most mature reflection and deliberation, we are of the opinion that if the individual Members of the House could give to this most important subject of immigration the same thorough consideration and study which we have given that they would reach the same conclusions we have, namely, that it is a most serious error to adopt the 1890 census as the basis of calculation for admission.

Signed:

ISAAC SIEGEL.
ROBT. S. MALONEY.
ADOLPH J. SABATH.

I wonder what possible excuse the Republican Party will be able to offer to the 20,000,000 members of the Federated Council of the Churches of Christ in America and the 10,000,000 members of women's clubs who, through their representatives, for months so persistently pleaded and appealed for the admission of the few thousand starving Armenian orphans whose fathers, yes, and mothers, have been murdered just because they were Christians.

Mr. UPSHAW. Mr. Speaker and gentlemen of the House, in commenting on the Disarmament Conference Thomas A. Edison very strikingly said:

It is all right to scrap our battleships, but we must keep up our research work.

Congress is hereby placed on notice that the engineering experiment station bill, H. R. 12542, introduced by me, is to be reintroduced when Congress convenes again, and Congress will be asked to pass it promptly. In the interim the Members of the House and the Senate are asked to give careful consideration to the great benefit of this legislation to their respective States and also to the fact that their respective agricultural and mechanical college has urged the importance of such legislation.

OBJECT OF THE BILL.

The object of these engineering experiment stations is stated plainly in section 2 of the bill as follows: That it shall be the object and duty of said experiment stations to conduct original research, perform in any or all branches of engineering, manufacturing, and the industries and the sciences related thereto, and to compile data relating to such researches for the promotion of the same in the interest of the people of the United States, particularly such as are engaged in engineering and industry; also researches, investigations, and experiments in connection with the production, preparation, and transportation of materials utilized in engineering and industry; also researches, investigations, and experiments relating to transportation, road building, drainage, irrigation, flood protection, aeronautics, aerodynamics, fuels, power, lighting, heating, refrigeration, ventilation, sanitation, architecture, war activities, and such other researches, experiments, tests, and investigations bearing upon the industries, occupations, and the public welfare of the people of the United States as may in each case be deemed advisable, having due regard to the varying conditions, resources, and the needs of the people of the respective States and Territories in which said stations may be established, and to cooperate with the agricultural experiment stations in its respective State in the study of problems and the conduct of experiments common to the fields of both engineering and agriculture.

RELATION TO OUR AGRICULTURAL AND MECHANICAL COLLEGES AND AGRICULTURAL RESEARCH.

In 1862 the United States, recognizing the importance of subsidizing and encouraging education in agriculture and engineering, passed the Morrill Act of 1862 appropriating land to every State for the establishing of the agricultural and mechanical colleges. By 1890 this educational work had so fairly demonstrated its importance and value that Congress supplemented the original act by appropriating a sum of money annually to each State which had fulfilled the requirements of the original act.

As the United States was largely an agricultural nation in the beginning, these colleges of agriculture and mechanic arts naturally devoted special attention to agriculture, except in certain States in the North, where the importance of industry and industrial developments toward the adequate consideration of engineering subjects, such as in Massachusetts, New York, Pennsylvania, Ohio, Michigan, and Illinois.

AGRICULTURAL EXPERIMENT STATIONS.

The need of organized agricultural research soon began to be felt, and after investigations of the agricultural research of Germany and other countries, a bill was introduced and passed by Congress in 1887 known as the Hatch Act appropriating $15,000 annually to each State and Territory for the conduct of agricultural experiment stations in the agricultural and mechanical colleges, or in other colleges which might be designated by Congress as perfectly qualified to conduct this agricultural research work. Later in 1906 Congress doubled this appropriation by the Adams Act and we now have the most perfect system of organized and cooperating engineering direction incorporating agricultural research in the world. These agricultural experiment stations have been of incalculable value to every State and Territory.

EXTENSION WORK CONTEMPLATED.

The importance of this educational work and research in agriculture became so important that in 1914 Congress passed the Smith-Lever Act appropriating a large sum of money for each State to conduct agricultural extension work. Our system of engineering and agricultural education, as aided by the Federal Government, is therefore practically complete on the side of agriculture, having, first, research as performed by our agricultural experiment stations, which advances and im-

proves the method of agriculture, horticulture, farming, and stock raising; second, education as conducted by the agricultural colleges; and third, the work of extension, which carries a certain amount of educational opportunities to the people interested in agriculture throughout the entire State, and by means of the county farm agents and large volumes of printed information the work of the agricultural experiment stations is extended to benefit the people in each and every county of the United States.

ENGINEERING EXPERIMENT STATIONS.

On the other hand, as relates to engineering we have progressed no further than the original Morrill Act of 1862 and 1890, which gives a little but important regular encouragement to engineering education in every State and Territory. For the past 15 years or more our educators, scientists, engineers, and business men in every State and Territory have been appealing to Congress to pass a bill appropriating each State and Territory a reasonable sum of money to organize a work of engineering experiment stations in each State and Territory, chiefly in connection with the present agricultural and mechanical colleges, but in any State wherever the State legislature may decide for the purpose of paralleling the important work of the agricultural experiment stations and to develop our past natural researches and important industries throughout the United States.

THE UNITED STATES TEMPLE OF EDUCATION.

The present situation and the need of organized engineering and industrial research is visualized on the chart, which has been prepared by Mr. Phinehas V. Stephens, a consulting engineer, an honored graduate of Georgia "Tech," who is secretary of the National Committee of Engineering Experiment Station Legislation, and who has devoted special attention to this important legislation and the industrial development of the United States for the past 20 years. It is largely due to his lifelong devotion to this cause of the development of the natural researches of America and American industry and organized research that this legislation has passed through various stages of development and perfection until it has reached its present form, which is generally considered the most efficient, complete, and universally satisfactory than any bill previously considered by Congress for this purpose.

THE APPROPRIATION RELATIVELY SMALL.

The total appropriation of this bill after three years of operation is only $50,000 a year to each State, making a total annually of only $2,500,000. This appropriation is one of the best investments that the United States could possibly make, as it will increase Federal taxes on manufacture and property values in a short time far in excess of the amount appropriated. It is one of very few appropriations of the Federal Government which will secure a large return upon the investment from the business and financial point of view. This will help reduce the heavy burden of taxation now resting upon our people.

ENCOURAGE AND MAINTAIN FOR UNIFORM NATIONAL PROSPERITY.

This appropriation will mobilize and utilize over $100,000,000 worth of the finest engineering and scientific equipment in American colleges and universities. This equipment is now used largely for educational purposes, but should also be utilized for training young men and women as scientists and research experts and to aid in the development of the natural resources and the industries peculiar to every State and Territory of this great American Nation. It is easy for anyone who will give even casual consideration to this system of national organized research to appreciate that it will operate to vastly increase our national wealth and prosperity.

It will give employment to every citizen of every rank who honestly desires employment, and it will make our Nation independent of every other country in the world for raw products of every kind. We will never again be disturbed about the cutting off of our supplies of raw products from other countries after this engineering experiment station work has had time to swing into full-orbed operation.

AN IMPORTANT MEASURE OF NATIONAL PREPAREDNESS.

With such a system of engineering experiment stations in operation in this country 10 years before the World War, Germany never would have dared to defy us. As has been pointed out by many authorities, we learned most of our research from Germany and other foreign countries. Germany knew we had no such system of nationally encouraged research as she had and, thinking that industry in America was too selfish to render much assistance, Germany thought that when she declared war and withdrew her German scientists and research experts from American industries and universities that we would be helpless to combat her scientific and engineering warfare, and she came very near guessing correctly. It is perfectly proper to scrap a large part of our Navy and reduce our Army to a reasonably safe nucleus, but we must organize our scientific and industrial research and make this country preeminently superior to any other nation, and maintain such a supremacy as to make it perfectly ridiculous for any other country to ever undertake or dare to defy us, knowing that our great scientific, engineering, and industrial organizations for peaceful purposes can be easily applied to such terrific and horrible warfare as will make the thought of war with the United States impossible to any but an insane man or nation.

The World War could have been prevented with such a system of experiment stations, and enough men and money saved to operate the provisions of this bill for actual centuries.

COST OF THE WORLD WAR TO THE UNITED STATES.

When we were defied by Germany we had to undertake between two and three billions of dollars of frantic, scientific, and engineering research in order to combat Germany's scientific warfare. We lost more money in the operation of our railroads alone than would have been necessary to conduct these engineering experiment stations for two or three hundred years. Congress can no longer shut its eyes to the imperative need of such a system of national defense, which is fundamental and basic in its importance, and upon such a system will rest the success of our Army and Navy in future wars or controversies.

AN IMPORTANT EDUCATIONAL MEASURE.

The importance of this bill as an educational measure is incalculable, because our industries can not secure an adequate supply of young men and women trained for research and scientific work. The average technical training is not sufficient; but with these experiment stations in operation in every State young men and women having natural propensity for analytical work can satisfy their ambitions and become experts in solving mechanical, electrical, physical, and scientific problems relating to the natural resources and the industries of their respective States and other States. Such a supply of young men and women is of vital importance to the rapid and efficient development of the industries of the United States.

WILL AID OTHER PRACTICAL EXPERIMENT STATIONS.

It is well known and appreciated that upon engineers and scientists rests much of the development and progress of agriculture. Engineers provide transportation, sanitation, road-building machinery, refrigeration, drainage, communication, electric light and power, construction materials, mill equipment, chemical fertilizers, farm implements, and a great many other of the important elements that are necessary to the farmer in his work. Engineers have made possible the farmer's pleasure, comfort, and educational progress in many ways and in return recognize the great value of the work of the farmer and want to help his further progress and prosperity.

These engineering experiment stations will work in close cooperation with the agricultural experiment stations and therefore greatly contribute to the progress in farming, stock raising, and fruit growing throughout the United States. In fact, industry and agriculture will never reach their fullest development until these engineering experiment stations have been established in every State. This bill has been indorsed by Dr. S. W. Stratton, former Director of the Bureau of Standards of the Department of Commerce, and now head of the Massachusetts Institute of Technology, the greatest technical school in the world. This great system of experiment stations in every State will be correlated and coordinated by the Bureau of Standards. It will be the means of extending the benefits of the Department of Commerce and other departments of the Government to every State and Territory, thereby utilizing to the maximum the work of the Federal Government; and, on the other hand, the Federal Government will collect annually a vast share of information from each of these experiment stations that will be of incalculable value to all of the various increasing departments of the Federal Government and to all research agencies or organizations of every kind. In the event of war all of the experiment stations will be placed at the service of the Federal Government, and it must be seen that with such assistance of trained men and equipment behind our Army and Navy and all of our departments, that the very creditable although expensive achievements of the present would be looked upon as very simple and would be eclipsed by the tremendous possibilities of accomplishment with each of these experiment stations, with its organization of brains and equipment, concentrated on the problems of either war or peace. It is hoped that Congress will pass this legislation shortly after it convenes next December, so that we will begin the year 1924 with this long delayed and vitally important system of engineering experiment stations which will do so much to promote universal peace in America and the world.

Mr. RAMSEYER. Mr. Speaker, the huge national debts, chiefly as the result of the late war, and which weigh so heavily on the backs of the peoples of all the civilized nations of the world, are matters of deep concern to the statesmen responsible for the government of the nations that were involved in that war. Our own national debt was increased from $1,000,000,000 to $26,000,000,000. The national debts of the world were increased from $43,000,000,000 in 1913 to over $400,000,000,000 in 1921. I made a speech on the subject of the national debts of the world on January 12, 1922, which can be found in the CONGRESSIONAL RECORD, on pages 1140, 1141, 1142, volume 62, Sixty-seventh Congress, second session. In that speech I set out tables showing the growth of the national debts of the world from 1688 to 1921 of about 100 leading colonies and nations of the world.

During the last few years the people of our own country have become much alarmed at the growth of tax-exempt securities which have been issued by the Nation, the several States, and the political subdivisions of the States. It is estimated that there are now about $34,000,000,000 of securities in this country wholly or partly exempt from taxation. It is conceded by all students of finance that these tax-exempt securities constitute a menace to our national welfare and prosperity. What shall we do about it?

During this session of Congress a resolution passed the House of Representatives by a vote of more than two-thirds proposing an amendment to the Constitution to permit the Nation and the respective States to tax such securities hereafter to be issued. This resolution failed in the Senate. If such a resolution should pass both the House and Senate by a two-thirds vote, as required by the Constitution, it is not at all certain that the necessary three-fourths of the State legislatures would ratify the same. The proposed amendment would not affect the securities now outstanding, and, in my opinion, would not be a very potent factor in preventing the States and the political subdivisions of the States from adding to their debt burdens in the future.

"The way to resume is to resume." Two steps are necessary to reduce the menace of tax-exempt securities: (1) It should be made more difficult by law to issue such securities; (2) it should be made mandatory on the tax-levying authorities to provide for a sinking fund to retire within a certain specified time all public debts now outstanding and those hereafter to be made.

Congress at the close of the war made provisions for the retirement of the national debt. Section 6, subdivision (a) of the Victory Liberty loan act, approved March 3, 1919, has the following sinking-fund provision:

(1) Two and one-half per cent of the aggregate amount of such bonds and notes outstanding on July 1, 1920, less an amount equal to the par amount of any obligations of foreign governments held by the United States on July 1, 1920; and (2) the interest which would have been payable during the fiscal year for which the appropriation is made on the bonds and notes purchased, redeemed, or paid out of the sinking fund during such year or in previous years.

The aggregate amount of bonds and notes outstanding on July 1, 1920, was $19,851,201,450. The par amount of the obligations of foreign governments held by the United States on July 1, 1920, was $9,445,600,855.18. The difference of $10,136,-194,594.82 is the amount to which the sinking-fund provision above quoted applies. According to experts in the Treasury Department this amount of a little over $10,000,000,000 will be entirely wiped out in 25 years from July 1, 1920. Other Liberty loan acts provide that the amounts paid to us by these foreign governments, either as interest or on principal, shall be used in retiring outstanding national bonds. At the time these various laws were enacted the national legislators went on the assumption that these foreign governments would take care of the interest as it became due and ultimately pay off the principal of what they owed us. Thus in 25 years from July 1, 1920, if the foreign governments would keep paid up the interest due us and ultimately discharge the principal of the debts they owe us our people would be entirely relieved from any burden of the national debt incurred during the late war.

Right here permit me to observe that the sinking-fund provision does not apply to any part of the floating debt, but only to that part of the national debt which had been funded into bonds and notes. It was assumed at the time that the floating debt would be retired within a few years.

Since these laws were enacted these foreign governments have not kept up their interest charges. Last year Great Britain paid us $100,000,000, which was only about a half of one year's interest due us. Our other principal foreign debtors have not paid us one penny of interest, and from present indications they will pay us nothing in the near future. It is problematical whether we will ever get anything from any of them, unless it be from Great Britain, which at present is the only hopeful exception.

Whether the foreign governments pay us or not, it is a duty which we owe to ourselves and to our posterity to make provision for retiring our entire national debt within a reasonable time. The adoption of such a policy will not prevent the National Government from pursuing any reasonable course to collect from our foreign debtors. If we make the sinking-fund provision apply to our entire national debt, whatever moneys are collected from our foreign debtors can be easily applied to the further reduction of our national debt, and if such collection is not made until our entire national debt is paid, the money from foreign debtors can be used for the reduction of our national taxes.

During this session of Congress I introduced a bill to amend subdivision (a) of section 6 of the Victory Liberty loan act enacted March 3, 1919, by striking out the following words: "Less an amount equal to the par amount of any obligations of foreign governments held by the United States on July 1, 1920." If these words are stricken from the law, then the sinking-fund provision will apply to all such bonds and notes outstanding on July 1, 1920. Owing to the pressure of business, my bill received no consideration during this session. As soon as the next Congress convenes I shall reintroduce this bill and press its consideration before the proper committee and on the floor of the House of Representatives. If this proposed legislation is enacted, we will get rid of the menace of national tax-exempt securities within 25 years.

A SUGGESTION TO STATE LEGISLATURES.

The menace of tax-exempt securities issued by the States and the political subdivisions of the States must be taken care of by State legislation. Every generation should pay the bonds it authorizes. If we keep up the reckless habit of voting and piling up public debts, the very security of our Government will be threatened. Every year the tax burdens are becoming more and more onerous, and the complaints of the people are becoming more and more ominous.

In passing, permit me to suggest legislation that should be enacted by every State legislature: (1) Legislation requiring more time for deliberation before an election on issuing bonds and possibly requiring more than a majority vote to authorize bonds for certain purposes; (2) legislation making provision for a sinking fund mandatory to pay off the principal of bonds issued with heavy penalties on the tax-levying authorities for failure to comply with the law making it mandatory to provide for a sinking fund. To secure legislation along the line indicated should receive the serious attention and consideration of every well-wisher of the Republic.

WEALTH AND DEBTS OF OUR DEBTORS.

Reverting to the problem of our own national debt and the possibility of our collecting from our foreign debtors, I wish to call your attention to the national wealth and the national debts of our leading debtors and the policies heretofore pursued by those debtors in paying their debts, or rather their failure to pay their debts. In the first place, I wish to call your attention to their national wealth and national debts. The countries to which I call your attention are France, Great Britain, Italy, and Belgium. The figures on national wealth are estimates furnished me by the Department of Commerce about a year ago. The figures on national debts were furnished me by O. P. Austin, formerly chief statistician of the Treasury Department and now statistician of the National City Bank of New York. These authorities are as reliable as can be found anywhere. In order that you may understand these figures more readily, I want you to keep in mind that our own national wealth is estimated at $250,000,000,000, and that our national debt is about $23,000,000,000. Our national debt is a little less than 10 per cent of our national wealth. At this place, I shall insert in the RECORD the figures of wealth and debts of the four countries to which I just referred:

Country.	Wealth (by Bureau of Foreign and Domestic Commerce).	National debt (Austin).	Per cent.
France	$58,500,000,000	$51,000,000,000	87
Great Britain	70,500,000,000	37,910,000,000	53
Italy	21,800,000,000	18,650,000,000	85
Belgium	5,840,000,000	4,670,000,000	80

These figures show the debt of Great Britain is about 50 per cent of her national wealth. If our national debt were 50 per cent of our national wealth instead of 10 per cent, we each year would have to raise by taxation to pay the interest thereon the

amount of over $5,000,000,000 instead of $1,000,000,000 as we do now. Our total national expenditures for all purposes, including interest on the national debt, sinking fund, and to run all departments of Government, for the last year were less than $4,000,000,000.

In the next place I wish to call your attention to some tables which I had prepared, showing the debt increases of these four countries. The first table shows the debts of Great Britain from 1688. The table showing the debt increases of France begins with 1815, after the Napoleonic era. The debts of Belgium begin with 1830, when the Government of Belgium was established; and the table for Italy begins with 1875, soon after the unification of that country under the present dynasty.

In a leading financial publication of Great Britain, to wit, Whitacre's Almanac for 1901, I find this significant statement: "Great Britain shares with the United States the feeling of duty almost alone among the nations of the world which leads these two countries to use every effort to redeem their national debts." This statement is absolutely true relative to our four principal debtors. It will be seen from the figures that I have before me, and which I shall place in the RECORD, that there has been at no time a decrease in the national indebtedness of either France, Belgium, or Italy. Right now France is floating a new loan of 1,400,000,000 francs to meet the running expenses of her Government. It will also be seen from the figures that I place in the RECORD in regard to the national indebtedness of Great Britain that there have been a few periods of debt reduction. Great Britain has had a national debt since 1688. The first debt decrease is recorded during the reign of George II. The second decrease was made following the Spanish war. The third decrease was made following the Napoleonic era. The fourth decrease was from 1857 to 1898, when the national debt was decreased over £200,000,000. From 1898 to the Boer war the national indebtedness of Great Britain was never reduced below £600,000,000. With the Boer war the national indebtedness went up to over £770,000,000. From the Boer war to the World War the national indebtedness of Great Britain was reduced less than £120,000,000. The World War greatly increased the national debt of Great Britain. Following the armistice the national debt continued to increase. At the end of the fiscal year 1920–21 the total debt of Great Britain was £7,831,774,300.

I have given these figures concerning the national wealth and national indebtedness of the four principal countries, as well as their debt increases covering a considerable period of time, for no other purpose than to present the facts. The people are entitled to these facts and from the facts to draw their own conclusions. These facts will assist us to adopt our own fiscal policy. There has been a disposition on the part of statesmen during and since the war to conceal the facts from the people. Such a course, according to my way of thinking, is never warranted either in war or in peace.

The issue before us is not whether our foreign debts should be canceled. The question is, How, if ever, are we going to collect? The financial condition of our debtors holds out very little hope that sufficient money will or can be collected from them to in any way reduce our national debt in any considerable degree or to relieve our own taxpayers. If anyone has any scheme that will enable us to collect from our debtors, he should waste no time in presenting it to the public, as the problem of collecting from our foreign debtors has to date baffled our ablest statesmen and financiers.

It is true that recently we had a debt settlement with Great Britain. According to the settlement Great Britain is given 62 years in which to pay $4,600,000,000 with interest. If she pays, according to the new contract, well and good, but I am unable to entertain any hope that even Great Britain will meet her obligations annually as provided in the settlement under the chaotic economic conditions which prevail in the world. In my judgment it is utterly useless and senseless in arranging our national Budget to entertain even an expectation that our foreign debtors will furnish us relief in payments on what they justly owe us.

With these facts before us I wish to submit to the Members of the House that we should proceed to legislate for the payment of our entire national debt. The sinking fund should be made applicable to the entire debt as suggested in my bill instead of to only part of the debt as is now the law. The outlook for the economic rehabilitation of Europe is anything but bright. Since the armistice we have received no payments from Europe except a small one to apply on interest from Great Britain. Up to date the other debtors have not even shown a disposition to discuss payments. Therefore if our Government intends to pay the entire principal of our national debt within a reasonable time the only course that presents itself is to make the sinking-fund provision apply to the entire national debt.

The National Government should set the example to the States and political subdivisions of the States in debt reduction. The way to reduce tax-exempt securities is to reduce the principal of such securities by application of the sinking-fund provision to the entire national debt. Tax-exempt securities are a very evident and pressing menace. The way to get rid of the menace is to pay them off and be mighty careful about authorizing the issuance of further tax-exempt securities.

The enactment of my bill will accomplish two very desirable results:

1. It will pay off the entire national debt within the next 25 years.

2. It will point the way to the States and political subdivisions of the States to make provision to retire their tax-exempt securities and to exercise in the future greater caution in issuing such securities.

Statement of the debt of Great Britain.

Debts.	Principal.	Annual charge.
National debt at the revolution in 1688	£664,263	£39,855
Increase during William III's reign	12,102,962	1,175,469
Debt at the accession of Queen Anne, 1702	12,767,225	1,215,324
Increase during her reign	23,408,235	1,847,811
At the accession of George I, 1714	36,175,460	3,063,135
Increase during his reign	16,675,337	323,507
At the accession of George II, 1727	52,850,797	2,739,628
Decrease during 12 years' peace, ending 1739	6,236,914	708,744
At commencement of the Spanish war, 1739	46,613,883	2,030,844
Increase during the war	29,198,249	1,134,881
At the end of the Spanish war, 1748	75,812,132	3,165,765
Decrease during 8 years' peace	1,237,107	412,199
At commencement of Seven Years' War, 1756	74,575,025	2,753,566
Increase during the war	52,219,912	1,994,283
At the peace of 1762	126,794,937	4,747,849
Increase during 13 years' peace	367,476	44,330

Debts.	Principal.	Annual charge.
At commencement of American war, 1775	£127,162,413	£4,703,519
Increase during the war	104,681,218	4,362,066
At the end of American war, 1783	231,843,631	9,065,585
Increase during 10 years' peace	16,031,203	645,653
At commencement of French war, 1793	247,874,434	9,711,238
Increase during 9 years' war	289,778,574	10,557,313
At the peace of Amiens, 1802	537,653,008	20,268,551
Increase during 13 years' war	337,783,837	12,377,067
Debt at the peace of Paris in September, 1815	900,436,845	32,645,618
Decrease to Mar. 31, 1855	91,918,397	4,781,085
Debt in March, 1855	808,518,448	27,864,533
Increase during two years of the Russian war	30,399,995	816,644
Debt in March, 1857	838,918,443	28,681,177
Decrease during the past 41 years	200,651,951	3,681,177
Debt in March, 1898	638,266,492	25,000,000

Financial year.	Dead-weight debt.	Cost of interest and management.	Gross amount redeemed.	Debt created in the year.	Net decrease.	Net increase.
1894–95	£664,794,901	£25,000,000	£8,885,973	Nil.	£8,885,973	.....
1895–96	655,908,928	25,000,000	7,602,502	Nil.	7,602,502	.....
1896–97	648,306,426	25,000,000	7,183,000	Nil.	7,183,000	.....
1897–98	641,123,426	25,000,000	6,052,791	Nil.	6,052,791	.....
1898–99	635,070,635	25,000,000	7,049,063	Nil.	7,049,063	.....

Statement of the debt of Great Britain—Continued.

Financial year.	Dead-weight debt.	Cost of interest and management.	Gross amount redeemed.	Debt created in the year.	Net decrease.	Net increase.
1899-1900	£628,021,572	£23,216,657	£7,090,919	£8,000,000		£909,081
1900-01	628,930,653	19,835,489	1,460,700	62,000,000		60,539,300
1901-02	689,469,953	21,685,532	4,454,303	60,000,000		55,545,697
1902-03	743,015,650	27,282,058	6,236,888	32,000,000		25,763,112
1903-04	770,778,762	27,000,000	10,148,985	2,000,000	£8,148,985	
1904-05	762,629,777	27,000,000	8,315,100	757,432	7,557,668	
1905-06	755,072,109	28,025,027	11,852,132	Nil.	11,852,132	
1906-07	743,219,977	28,500,000	13,714,432	Nil.	13,714,432	
1907-08	729,505,545	29,500,000	18,029,680	Nil.	18,029,680	
1908-09	711,475,865	28,000,000	8,767,968	Nil.	8,787,968	
1909-10	702,687,897	21,757,661	10,442,489	21,000,000		10,557,511
1910-11	713,245,408	24,554,004	28,012,949	Nil.	28,012,949	
1911-12	685,232,459	24,500,000	10,487,978	Nil.	10,487,978	
1912-13	674,744,481	24,500,000	13,270,716	Nil.	13,270,716	
1913-14	661,473,765	24,500,000	10,203,674	Nil.	10,203,674	
1914-15	651,270,091	22,668,896	8,953,015	466,500,000		457,546,985
1915-16	1,108,817,076	60,249,311	599,598,339	1,631,529,907		1,031,931,568
1916-17	2,140,748,644	127,250,493	1,295,573,616	3,166,270,880		1,870,697,264
1917-18	4,011,445,908	189,851,066	201,509,133	2,061,913,862		1,860,404,729
1918-19	5,871,850,637	269,964,850	384,325,886	1,947,424,678		1,563,098,792
1919-20	7,434,949,429	332,033,708	987,946,296	1,384,741,167		396,794,871
1920-21	7,831,744,300					

Total debt, funded and floating, of France.

	Francs.		Francs.
1815	1,601,000,000	1914 (July 31)	34,188,000,000
1830	5,182,000,000	1914 (Dec. 31)	40,008,000,000
1847	6,708,000,000	1915	58,465,000,000
1852	6,639,000,000	1916	82,504,000,000
1868	12,383,000,000	1917	114,200,000,000
1873	21,699,000,000	1918	171,353,000,000
1883	27,401,000,000	1919	240,242,000,000
1893	30,313,000,000	1920	286,524,000,000
1903	30,799,000,000	1921	297,367,000,000
1913	33,637,000,000	1922	316,984,000,000

Growth of the public debt of Italy.

June 30:	Lire.	June 30:	Lire.
1875	8,471,000,000	1910	13,077,900,000
1880	9,833,100,000	1914	14,839,759,000
1885	11,417,200,000	1918	43,414,451,498
1890	12,367,400,000	1920	92,484,000,000
1895	12,864,700,000	1921	106,541,000,000
1900	13,430,700,000	1922	113,204,000,000
1905	13,285,600,000		

Growth of the national debt of Belgium.

	Total francs.		Total francs.
1835	117,237,380	1905	3,246,474,123
1840	279,995,120	1910	3,839,608,193
1850	626,578,861	1914 (Aug. 15)	4,592,883,549
1860	634,137,847	1919	23,337,000,000
1870	682,880,914	1920	28,075,000,000
1880	1,422,814,049	1921	33,937,000,000
1890	2,018,043,774	1922	35,743,000,000
1900	2,708,549,151		

IN THE HOUSE OF REPRESENTATIVES,
February 7, 1923.

Mr. RAMSEYER introduced the following bill; which was referred to the Committee on Ways and Means and ordered to be printed:

A bill (H. R. 14240) relating to the sinking fund for bonds and notes of the United States.

Be it enacted, etc., That subdivision (a) of section 6 of the Victory Liberty loan act is amended by striking out after the figures "1920," where the same appear the third time in said subdivision, the following words "less an amount equal to the par amount of any obligations of foreign governments held by the United States on July 1, 1920," so that said subdivision (a) of section 6 of the Victory Liberty loan act as amended will read as follows:

"SEC. 6. (a) That there is hereby created in the Treasury a cumulative sinking fund for the retirement of bonds and notes issued under the first Liberty bond act, the second Liberty bond act, the third Liberty bond act, the fourth Liberty bond act, or under this act, and outstanding on July 1, 1920. The sinking fund and all additions thereto are hereby appropriated for the payment of such bonds and notes at maturity, or for the redemption or purchase thereof before maturity by the Secretary of the Treasury at such prices and upon such terms and conditions as he shall prescribe, and shall be available until all such bonds and notes are retired. The average cost of the bonds and notes purchased shall not exceed par and accrued interest. Bonds and notes purchased, redeemed, or paid out of the sinking fund shall be canceled and retired and shall not be reissued. For the fiscal year beginning July 1, 1920, and for each fiscal year thereafter, until all such bonds and notes are retired, there is hereby appropriated, out of any money in the Treasury not otherwise appropriated, for the purposes of such sinking fund, an amount equal to the sum of (1) 2½ per cent of the aggregate amount of such bonds and notes outstanding on July 1, 1920, and (2) the interest which would have been payable during the fiscal year for which the appropriation is made on the bonds and notes purchased, redeemed, or paid out of the sinking fund during such year or in previous years.

"The Secretary of the Treasury shall submit to Congress at the beginning of each regular session a separate annual report of the action taken under the authority contained in this section."

Mr. TOWNER. Mr. Speaker, February 24, 1923, President Harding delivered a special message to the Senate in which he said:

There has been established at The Hague a permanent court of international justice for the trial and decision of international causes by judicial methods, now effective through the ratification by the signatory powers of a special protocol. It is organized and functioning.

The President called attention to the fact that the United States has for many years advocated the creation of such an agency of peace, and added:

It is for this reason that I am now asking for the consent of the Senate to our adhesion to the protocol.

A letter from the Secretary of State accompanied the President's message, in which is presented the history of the establishment of the court, discusses the objection to our adherence because of the court's establishment under the auspices of the League of Nations, and explains how, with certain reservations, the United States may adhere and participate and remain wholly free from any legal relation to the league and free from any obligation created by the league.

Mr. Hughes in his letter proposes four reservations:

1. That adhesion shall not involve the United States in any legal relation to the league;

2. That the United States shall participate in the selection of the judges of the court;

3. That the United States shall pay a fair share of the expenses of the court as determined by the Congress of the United States; and

4. That the statute for the Permanent Court of International Justice shall not be amended without the consent of the United States.

THE UNITED STATES HAS ALWAYS FAVORED WORLD COURT.

The statement of the President that the United States had for many years advocated the creation of such a court as is now established is fully borne out by the facts.

From the first the Government of the United States has advocated and promoted the settlement of international disputes by peaceful means. The means proposed and used for many years was by voluntary arbitration. Up to the time of the first Hague conference in 1899 the United States had participated in 57 arbitrations. Congress adopted a resolution in 1890 requesting the President to invite other governments to confer "to the end that any differences or disputes arising between two governments which can not be adjusted by diplomatic agency may be referred to arbitration and be peacefully adjusted by such means." Secretary Hay in his instructions to the delegates of the United States to the first Hague conference said:

Nothing can secure for human government and for the authority of law which it represents so deep a respect and so firm a loyalty as the spectacle of sovereign and independent States, whose duty it is to prescribe the rules of justice and impose penalties upon the lawless, bowing with reverence before the august supremacy of those principles of right which give law its eternal foundation.

At that conference a permanent court of arbitration was provided which still is in existence and to which 17 controversies have been submitted and decided.

In 1908 and 1909 the United States concluded 19 general treaties of arbitration.

Not only has the United States uniformly favored arbitration in its own case and supported the permanent court of arbitration, but it has from the first favored the establishment of a permanent court of international justice. In his instruc-

tions to the delegates of the United States to the second Hague conference, in 1907, Secretary Root strongly urged our delegates to support the establishment of such a tribunal. He said:

It should be your effort to bring about in the second conference a development of The Hague tribunal into a permanent tribunal composed of judges who are judicial officers and nothing else; who are paid adequate salaries; who have no other occupation, and who will devote their entire time to the trial and decision of international causes by judicial methods and under a sense of judicial responsibility.

The second Hague conference developed a plan for such a court, but agreement failed as to the method of selecting judges.

The covenant of the League of Nations provided for the preparation and submission of plans for the establishment of a permanent court of international justice. An advisory committee of distinguished jurists was appointed which sat at The Hague in 1920 and formulated a plan for the establishment of such a court. Hon. Elihu Root was a member of that committee. The plan recommended was adopted by the council and assembly of the league and an independent statute constituting the court was submitted to the nations for adoption. Fifty-one nations have adopted the protocol.

CONSTITUTION OF THE COURT.

Secretary Hughes thus summarizes the provisions of the statute:

The statute of the court provides for the selection of the judges; defines their qualifications; and prescribes the jurisdiction of the court and the procedure to be followed in litigation before it. The court consists of 15 members—11 judges called "ordinary judges," and 4 deputy judges. The 11 judges constitute the full court. In case they can not all be present, deputies are to sit as judges in place of the absentees; but if 11 judges can not be present, 9 may constitute a quorum. The judges are elected for nine years, and are eligible for reelection. The jurisdiction of the court comprises all cases which the parties refer to it, and all the matters especially provided for in treaties and conventions in force.

Jurisdiction is not compulsory, but is conferred only by the agreement of the parties to the controversy.

The statute expressly provides that the court shall be open not only to members of the league but to all States mentioned in the annex to the covenant. This includes the United States. None of the provisions of the statute constituting the court are dependent upon the league except the selection of the judges. As Secretary Hughes says: "It is an establishment separate from the league, having a distinct legal status resting upon the protocol and statute. It is organized and acts in accordance with judicial standards, and its decisions are not controlled or subject to review by the League of Nations."

The court was organized January 30, 1922. Its first session lasted until March 24. The most important task at the first session was the drafting of rules of procedure. The second session was begun June 15, 1922. Three requests for advisory opinions were presented to the court. Fifty meetings of the court were held during this session, 15 of which were public. The third session was begun January 9, 1923. The establishment of the court has been almost universally approved. Adverse criticism has been rare. In America the comment has been especially favorable. Dean Wigmore said: "It should have given to every lawyer a thrill of cosmic vibration." Dr. James Brown Scott rejoiced that "one dream of the ages has been realized in our time." American gratification has been increased by the selection of one of the most distinguished jurists of the United States, John Bassett Moore, as one of the judges.

OBJECTIONS CONSIDERED.

Of course objections have been made. It is urged that we should not establish an international court to interpret and apply international law until there is established a system or code of international law.

There is available, however, a large body of international law to aid and direct the court in the decision of cases which may come before it. In the first place, every treaty between nations is international law and binding as to the parties to such treaty. The court will interpret a treaty in case of disagreement as to its provisions between the contracting parties. When the large number of treaties covering almost every possible phase of international relations is considered it will be realized how important and necessary it is that a court should be established to interpret and settle differences regarding them.

International law as stated and agreed to by many nations at the two Hague conferences has still many conventions not broken nor contested.

The works of the great writers on international law are a source of unwritten but admitted international law always appealed to and of great weight in the settlement of controversies between nations.

The decisions of courts of last resort of the great nations, especially of the courts of Great Britain and the Supreme Court of the United States, are drawn upon for principles and applications of international law. The decisions of the Permament Court of International Justice itself will furnish a body of precedents which may be applied in subsequent cases.

INTERNATIONAL LAWMAKING.

But a still more important consideration in this regard is the proposed revision and codification of international law. It is admitted by all those conversant with international affairs that a conference should be called soon to review the condition of international law, to formulate and codify as far as possible the principles and rules thereof, and to provide for further periodic conferences for that purpose. The work accomplished at the two Hague conferences of 1899 and 1907 was promising, and provision was made for a third conference, which was to meet in 1914 or 1915. This proposed conference was prevented by the war. After the war American jurists agreed that as soon as possible a new conference should be called to restate the established rules of international law, especially in the fields affected by the events of the war. As Mr. Root expressed it, proceedings should be had to find out and declare—

what there is left of international law; what is broken beyond repair and what remains; what is to be treated as a rule which has been violated, but which stands, just as the law against murder and theft stands, even though people commit murder and theft; and what rules, if any, have been so smashed that they do not exist any longer.

The proposed conference should formulate and agree upon amendments and additions necessary or useful to meet the changes in the conditions of international life and intercourse which have followed the war. The conference should also consider the subjects not now adequately regulated by international law, but as to which the interests of international justice require that rules of law should be declared and accepted.

The President of the United States will be requested to call such a conference in the near future, to which other nations shall be invited to send delegates to consider and formulate for submission to their respective nations such rules of international law as the conference shall agree upon. These rules when adopted will constitute a body of international law which will be to the new court what our statutory law is to our courts. That this will be a great advance in the progress and development of peaceful settlement of international disputes can not be doubted. In that advance the United States should not only bear a part but should lead and exert all its great prestige and dominating influence toward its early accomplishment.

It is stated that by giving our adherence and support to the court as now established we shall become a party to the League of Nations, which we have hitherto refused to enter. This, as I have stated, is expressly disclaimed by Secretary Hughes. Practically the only essential by which the league is connected with the court is in the present provisions for the selection of judges. These provisions will be modified if the reservations which Secretary Hughes proposes are accepted. Besides, the Secretary in his proposed reservations in the most explicit language provides that our adhesion to the court shall not be taken as involving us in the league. The reservation, without the adoption of which it is not proposed the United States shall become a party to the court protocol, is as follows:

That such adhesion shall not be taken to involve any legal relation on the part of the United States to the League of Nations, or the assumption of any obligation by the United States under the covenant of the League of Nations, constituting part 1 of the treaty of Versailles.

This is a sufficient answer to any reasonable objection urged on that ground.

The statement that the United States by adhering to the court is trying to enter the league by the "back door" does not merit attention. Neither does denunciation by the extreme antagonists of the league who assert that the United States should have nothing to do with anything connected with or approved by the league need consideration. The United States must and will not be influenced in a matter of such grave importance by such childish and unreasonable objections. If the court proposal originated with the league and would better conditions affecting the relations of the nations, the United States should give it unquestioned approval. But in this case it is the proposal of the United States which the league adopts. To now refuse to cooperate in the establishment and maintenance of a court which the United States has in so many ways approved and which seems almost universally desired and approved by the people would be unthinkable..

Without delay, as soon as sufficient consideration to the conditions of adherence can be given, the United States should give

full and effective sanction and support to the Permanent Court of International Justice now established at The Hague. Such action on our part will only be another evidence of the earnest and heartfelt desire of the American people to do all that government and human power can do to substitute for the horrors and burdens of war the peaceful settlement of disputes between the nations of the earth.

Mr. JONES of Texas. Mr. Chairman, simply in the interest of historical accuracy I want to discuss the subject referred to this morning, when it was stated that the President's suggestion to stop the issuance of nontaxable securities would not interfere with the further issuance of nontaxable bonds by the farm-loan system. That statement was made by two or three gentlemen who mentioned the question. I know of no way of determining what the President had in his mind better than to read the message which he delivered a few days ago in connection with the message which he delivered last year. In the message the other day he said:

> One year ago I suggested the submission of an amendment so that we may lawfully restrict the issuance of tax-exempt securities.

There is no doubt that at the present time the Congress has the power to tax the Federal farm-loan bonds or to leave them untaxed, but no State has power to tax them. So far the Congress has seen fit to leave them untaxed. In other words, the borrowers under the Federal farm-loan system have the privilege of borrowing their money from sources that are not taxed and of thus securing a very cheap rate of interest. There is no doubt that if an amendment were adopted to the Constitution forbidding the issuance hereafter of tax-exempt securities it would forever end the right of the Federal farm-loan system to issue tax-exempt securities. And that both the States and the National Government might tax incomes derived from bonds issued after the passage of the amendment.

What did the President say one year ago in his message to Congress on December 6, 1921?

> I think our tax problems, the tendency of wealth to seek nontaxable investment, and the menacing increase of public debt, Federal, State, and municipal, all justify a proposal to change the Constitution so as to end the issue of nontaxable bonds.

He does not say to end the issue except in the case of farm-loan bonds, or except in any other case, but the President in his message says that he favors an amendment to the Constitution which would forever end the issuance hereafter of nontaxable bonds.

He goes on to say that, of course, we can not affect those already issued, but we can those for the future. The President may have changed his mind since that time, but undoubtedly he had in mind at the time he wrote the message and penned this document that we should end all tax-exempt securities for the future; and if that were done there is not any question that the men who buy bonds would take into consideration not only such taxes as are then being levied on similar bonds but a disposition which they might fear in the future the States or any of the States or Federal Government might have to make as an additional levy on such bonds, because if we once open the bonds to taxation then at any time the amount of that tax could be changed. Hence, if there seemed a likelihood of a tax of 1 per cent, in all probability the bond purchaser would increase the rate 2 per cent in order to be sure that he had raised his interest rates enough to take care of the tax.

Mr. EVANS. Mr. Chairman, will the gentleman yield?

Mr. JONES of Texas. Yes.

Mr. EVANS. Does the gentleman mean to infer that the Constitution of the United States contains any inhibition against tax-free securities issued under Federal authority?

Mr. JONES of Texas. Absolutely not; but I do mean to say that the President of the United States asks that the Constitution be amended so that they may be taxable, and that they shall be taxable, and that there shall be no tax-exempt securities hereafter issued. Would not that include the Federal farm loan system?

Mr. EVANS. And that the inhibition in the Constitution refers only to securities issued by authority of the State?

Mr. JONES of Texas. Oh, no. In his message he refers to the menacing increase of public debt—Federal, State, and municipal—and states that it all justifies a proposal to change the constitutions to end the issue of nontaxable bonds. That means all nontaxable bonds—bonds of every description—and if the English language means anything that is what it means.

Mr. EVANS. I think the gentleman misunderstood me. What I said was that the inhibition in the Federal Constitution refers to only securities issued under State authority.

Mr. JONES of Texas. I beg the gentleman's pardon; I may not have understood him, but the gentleman will agree with me that if the President's message where he went into the matter in detail a year ago means anything it means every bond issue by the Federal farm loan system thereafter would be subject to taxation by both the State and the Federal Government. Is not that the fact?

Mr. EVANS. I do not think it is, taking into consideration with what the President was discussing, namely, the Constitution and its effect.

Mr. JONES of Texas. I think the gentleman is determined not to be convinced. The President says:

> I think our tax problems, the tendency of wealth to seek nontaxable investments, and the menacing increase of public debt, Federal, State, and municipal, all justify a proposal to change the Constitution so as to end the issue of nontaxable bonds.

That is, the Federal Government issue, the State issue, the municipal issue, the district issue, all justify the proposal to change the Constitution regardless of what it may now mean so as to end the issue of nontaxable bonds for the future. I do not see how any other conclusion can be reached. His language includes all bonds, whether Federal, State, or municipal. He may have changed his mind, he may have seen a new light, new conditions that pertain to it, and he may want to change his expression of a year ago, but if he carries out his original idea there is no other conclusion one can reach, and I may add that if the amendment proposed by Mr. GREEN of Iowa should be adopted it would permit both the State and Federal Governments to tax these farm-loan bonds.

Mr. BANKHEAD. Will the gentleman yield?

Mr. JONES of Texas. I will.

Mr. BANKHEAD. Do I understand the gentleman from Texas to take the position that these Federal farm-loan bonds should not be included in the provision of the proposed amendment?

Mr. JONES of Texas. I am not discussing the general merits of the amendment. I doubt whether the amendment, at least in its proposed form, should be adopted, but if adopted there is certainly much force to the argument that farm-loan bonds should be exempted, at least for a period of years, until the farm-loan system has gotten thoroughly on its feet, because there is no doubt that whereas the farmer now gets money at 5½ per cent, if an amendment to the Constitution permitting the States and Federal Government to tax those bonds is adopted, the men who hold the purse strings and who buy the bonds will say, "I am going to be protected in the purchase and I will increase my rate of interest to a degree that will surely protect me from any levies of taxation, whether by the State or by the United States." However, my purpose in arising was to answer the statement made by the gentleman from Iowa and others to the effect that the proposed amendment did not mean that all farm-loan bonds thereafter issued would be subject to taxation. Now, this means more than the simple question of a refuge for investment in tax-exempt securities. The big, congested centers have already issued many bonds. These bonds are forever tax free, regardless of any amendment. The Liberty bonds and the Victory bonds are forever tax free, regardless of whether an amendment is adopted. I say, let us proceed cautiously. The United States Government will not probably issue any great amount of additional bonds for many years. The securities that you would make subject to taxation will in many instances be those from school districts in settlements where they desire to enable the boys and girls to go to school. In order to build a schoolhouse, they will desire to issue bonds. They now get rates of from 4 to 4½ per cent, and they sell the bonds sometimes at a premium. If you make them subject to taxation they will have to pay 6 and 6½ per cent in these developing sections. They are the people who will pay the taxes. The same is true of roads and municipal improvements in the outlying sections of this broad, big country. Let us not be deceived. The bondholder will see to it that the borrower pays the taxes. Therefore, let us carefully study this question before acting.

Already this country has billions in outstanding bonds which must remain tax free. Is there not danger that such a step just at the present time might still further penalize by higher rates of interest the undeveloped sections of this country, whose interest rates are already too high? [Applause.] This is a matter of great importance.

There has been a great deal of propaganda in favor of the amendment. It is a tremendous and far-reaching question, and one that should engage the best thought and attention of the country before final action is had. Much has been said in the press and on the floor for the amendment; and what I have said are some of the things that it seems to me should also be taken into consideration before we take this all-important step. Under the amendment as drafted New York, for instance, could tax incomes from State, county, municipal, and school

bonds issued in other States and sold in New York 50 per cent, and tax the income from her own industrial bonds only 10 per cent, and thus destroy the market for the bonds of other States.

If this amendment were so drawn as to require taxes on all bonds and securities to be the same, an entirely different question would be presented. But in its present form New York, which furnishes the market for a great many bonds, could tax the incomes from Federal farm-loan bonds 50 per cent and tax industrial and railway bonds only 10 per cent. Thus New York could practically destroy the market for these bonds, as well as for school, municipal, and other bonds from other States by causing the interest on those bonds to go so high as to be prohibitive, while she could very much favor her own industrial bonds. Such a condition would be unbearable.

The CHAIRMAN. The time of the gentleman has expired.

Mr. CARTER. Mr. Chairman, recent developments remind us that once every year when this appropriation bill comes up for consideration the House is regaled with divers attacks upon the measure, flanked by charges of utter failure of the Indian Bureau. Thinking this an opportune time to refute by a plain statement of the facts some of the numerous unfounded assertions made regarding Indian matters, I have secured from the Indian Bureau certain data in connection with the matter which I desire to present to the House for its information.

Much criticism has been offered because the annual expenditures of the Indian Bureau exceed those of some other branches of the Government's activities. A comparison of the cost of the Indian Service with that of other bureaus is of no logical weight, if it goes no further than placing side by side the totals appropriated for each one. Figures flourished in this fashion may deceive and excite the superficial mind, but they mean little to the fact finder. The volume of the work performed, the character of the service rendered, the conditions dealt with, and the obstacles to be overcome are fundamental in any such comparative analysis, and without going into these inherent essentials no good can come from such limping argument, but actual evil may follow.

Effort has been made to picture 5,000 employees as supervising 50,000 Indian families, or one bureau official to every 10 families. The sophistry of such misapplied averages will appear to anyone having only a partial knowledge of the grouping and assignment of the Indian Service necessary to its extensive educational system, where scores of employees are sometimes required for a single school, and to its health, agricultural, reclamation, forestry, and other large activities spreading over vast territorial areas.

Bureau officials have been described as brutally throwing Indians into jail without the privilege of jury or evidence, of governing according to their whims and perpetuating a system of abject Indian slavery. It has been said that Indians are possessors of great wealth but are starving for lack of the necessaries of life. Attempt is made to win sympathy for the Indian by an extraordinary application of the doctrine that all men are created equal, and by heaping condemnation upon administrative agents because they do not recognize tribes as self-determining bodies and follow implicitly the voice of their councils. The relation of guardianship established by Congress and the courts is apparently ignored. The Indian Bureau administers this guardianship over the property of noncitizen and incompetent Indians as authorized and required to do. It does it with helpful and equitable purpose, although with occasional errors of judgment alien to no human wisdom. To shake the rafters with censure of the Indian Bureau in terms of "Kaisers" and "Czars" and denounce it as a despot out of date is about so much rhetorical claptrap to tickle the ears of disappointed grafters and hungry schemers in search of opportunity to fleece the Indian out of the last acre of his homestead and the last penny in his pocket. In the face of ascertained facts such statements must be set down as exaggerations. Apart from the Christian church, the American Red Cross, and like benevolent agencies, there is probably not anywhere an organization that functions with more humane, persuasive, and uplifting spirit than the Indian Service, and whoever pictures it as a bureaucracy moved by sordid selfishness can hardly be recognized as truly picturing that organization to well-informed and fair-minded people.

It may be safely said that the Indian Bureau and its present commissioner are ready to challenge the most searching investigation—if it be an impartial one—to show whether the personnel of the Indian Service is less industrious, less honest, less efficient, or less devoted to a noble, far-reaching, and difficult work than that of any other governmental bureau, and whether their average compensation is not the lowest of any like body of civil-service employees.

By a mixture of unverified assertion, ridicule, and inunendo the Indian Bureau has been held responsible for early transactions and legislation with which it had nothing to do and is branded as a worse failure than the old Freedmen's Bureau, which dealt with conditions almost wholly dissimilar.

The unsuccessful outcome of the tribal herd enterprise on the Blackfeet Reservation is admitted by the bureau, but prejudiced criticism adroitly obscures the fact that the failure of grazing from drought and the impossibility of procuring cars in the proper shipping season were the chief causes, and that white stockmen in that region experienced similar losses, and in some cases worse. The bureau has been unfortunate in occasional investments, just as private individuals everywhere have been, but this has not been the rule. The Blackfeet situation has become the favorite subject for doleful description by the whole body of calamity howlers and has been depicted as vastly worse than the facts would corroborate. With all the stories of starvation on that reservation, the evidence of such deaths is not easily found. The population of this tribe is greater by several hundred than it was 10 years ago, and no tribe has made better progress in the last two years. Crop production has greatly increased and every prospect is encouraging. Among many favorable reports by those outside the Indian Service is that of General Scott, of the Board of Indian Commissioners, a courageous but conscientious critic, who says:

> I have been going about all over the Blackfeet country at the request of the superintendent, and in his company, and I think it will please you to know the results he is accomplishing.
>
> He is a man of great sympathy for the Indian, of untiring energy, firm and wise in his management. I see a vast difference everywhere since my last visit.
>
> Everywhere we see crops, from 5 to 12 acres of wheat and oats; 3 or 4 of potatoes, with garden produce. The flour and sawmills are in operation. The Indians show their crops with the greatest pride and joy. Mr. Campbell, the superintendent, goes about among them for days at a time, into every field, instructing and encouraging the owners. His system of organizing them into chapters in each section is bringing great results. They love and respect him highly, and he is gaining over the malcontents common to every agency who must join with him or be left behind by their own people.

The complaint about the Blackfeet irrigation project is a grossly misleading one. It is true that irrigation on that reservation has been disappointing to some extent, but the experiment is not yet closed, and as the Indians become better acquainted with irrigating methods the advantages of this development will be manifested. Whatever may be now conceded as to that unit, the reclamation work of the bureau has been as a whole unquestionably successful, and the indisputable facts will show that the crop and grazing returns for a single average year throughout the Indian country absolutely justify the aggregate expenditure. To denounce general results and large achievements because of some particular mistake or partial failure is a process of reasoning unworthy of serious reply.

In the minds of chronic knockers anything that has been done for the Indians and the progress they have made counts for naught, compared with the money expended to accomplish such results. The largest item in Indian legislation is for education, and the largest part of the service for which salaries are provided is for education. The civilization of the Indian is simply a matter of education, academic but no less industrial education, such as the Government through the Indian Bureau conducts creditably and at less cost than it is furnished by the States.

Facts of public record show that the expenditures per pupil in the public schools of 12 leading cities, including Washington, D. C., for the year 1919–20 ran from $74.57 to $103.74, seven of them being over $80, and this outlay presumably covered nothing in the way of clothing, subsistence, and medical service as supplied in Indian boarding schools, and comparatively little for vocational training. Upon the average expenditure of the 12 schools referred to, which was $85.64 per pupil, it appears that the instruction usually furnished in the municipal public schools costs more than double the same kind given in the Government boarding schools.

But a truer basis of comparison is between the Indian schools, which are industrial institutions in every sense, and similar State industrial schools. For 1920–21 the per capita cost of the girls' industrial school in Oregon was $428, and of the boys' school $390. For 1919–20 the per capita cost in the industrial schools of Nebraska was $425 for girls and $380 for boys. In Montana this cost has run as high as $1,676; in Arizona up to $555; and in Minnesota the per capita cost for boys was $537, and $600 for the same two years that the Government Indian school at Lawrence, Kans., was maintained at a per capita cost of $195 and $203, respectively. From whatever angle this question of cost is analyzed the showing is economically and educationally favorable to the administration

of the Indian Bureau. Violent exception is taken to the practice of having students work at the trades in which they are taught for the purpose of aiding in the repairs of plants and in new construction, and this is termed "involuntary servitude" and a lowering of self-respect. Is it slavery for any healthy boy, Indian or white, to earn his board and clothes as soon as he is old enough? Is it a blight upon self-respect to train any boy of any race to work for his living? Let us hear in this connection something from the latest official comment of the Board of Indian Commissioners, a body of high-minded men who give much time to practical contact with Indian conditions and inspect and check over the Indian Bureau's operations and offer their recommendations thereon. This board says:

The present policy of the Indian Office is to emphasize the human equation of the Indian problem. Its educational program, which centers in its purpose to place in some school every Indian child who can go to school; its plan to reach the women of the tribes by strengthening the field matron service; its aim to give Indians more hospital facilities and better medical attention; and its success in securing cooperation of organizations, such as the Red Cross, in advancing the welfare of the Government's wards not only are highly commendable as humanitarian activities but also are meeting a condition which contains elements of peril to a people passing through a very critical period.

The accelerated progress made by the Indians which we have noted is due to several causes, but the Indian Service school unquestionably is the principal source of the modernizing energy which is hastening the advancement of our red friends. The education of their children is profoundly affecting the whole Indian people. The Indian Service and the mission schools are doing more than all else to weaken old-time tribal influence, to develop character, and make it easier to lead Indians to accept the white man's ways of living.

The position taken in recent criticism on the floor of the House of Representatives may be summed up in the following:

(1) It is time to give the Indian the property to which he is entitled and then let him shift for himself.

(2) Every reservation should be allotted to the Indians so that each may have his individual homestead. The tribal property should be divided. Minors and incompetents should be treated exactly as are similar persons of the white race—their property administered in the courts of the States.

(3) There should be arrangements for a final accounting by the Commissioner of Indian Affairs at a certain fixed date. Each Indian tribe should be permitted to act through its freely elected council and a final settlement made, so that in all the future these original Americans shall be members of America.

In support of this policy views have been quoted from Major McLaughlin's interesting book published in 1910, but with such lack of accuracy as will appear from the following letter:

WASHINGTON, D. C., *January 4, 1922.*

MY DEAR MR. COMMISSIONER: In the speech of Hon. M. CLYDE KELLY in the House of Representatives on Wednesday, December 27, 1922, he quotes a few excerpts from the last chapter of the book entitled "My Friend the Indian," of which I am the author; and still substantially adhering to my views on the Indian question as therein expressed by me, I desire to invite attention to the omission of an important clause in the last paragraph of said book, as quoted by Mr. KELLY in his speech above referred to, wherein he quotes said paragraph only in part and omits a very essential qualifying clause.

The exact wording of the paragraph from which this excerpt by Mr. KELLY is quoted is as follows, the underscored part having been omitted in his speech:

"To me the question admits of but one answer. Give the people the money they have coming; give it to them as soon as possible. *So soon as the proper official declares that an Indian is competent to administer his own affairs, let that Indian have his portion of the fund, also a patent in fee for his allotment, and let him shift for himself. This procedure would relieve the Government of the care of these funds and build up manhood and individual self-reliance, which can never be realized under the present doling-out process.* Do away with the leading-strings and check-reins by which the Indian is now so handicapped, and he will immediately feel the necessity for demonstrating his capacity to manage his own estate. By this means only can the Indian be saved from chronic indigence and ultimate and absolute paupery; and I am sufficiently well acquainted with Indian nature to venture the prophecy that a large majority of those under fifty years of age will develop the capacity to hustle for themselves exactly in the proportion that their needs press them. Take away his annuity by letting him handle the principal, and the Indian will be given a start on the road to complete civilization and independence, that will land him at the desired goal in nine cases out of ten."

The foregoing was my view of this particular phase of the Indian question when I wrote said book 13 years ago, and I still adhere to the essential features thereof as therein expressed, except that from subsequent experience I have somewhat modified my view as to the issue of patents in fee to the entire allotment of the average Indian of the present day; and while I still believe in the removal of restrictions and turning the Indian loose as soon as consistently possible, I believe that at least 40 acres of the Indian's allotment upon which he makes his home should remain restricted during the life of the allottee, except where the allottee was declared by the proper official to be unquestionably qualified to administer his business affairs equal to the ordinary white pioneer farmer.

Respectfully, JAMES MCLAUGHLIN.

Hon. CHAS. H. BURKE,
Commissioner of Indian Affairs, Washington, D. C.

It will be seen that the deleted part of the closing paragraph in the major's book, read in connection with his view as modified from later experience, leaves him in practical accord with the existing policy of the Indian Bureau. That policy is and has been to give to Indians found to be as competent as the average white man to manage their own business affairs the full control of their property, individual and tribal, and there is a bill now pending, initiated by the Indian Bureau, which if passed would authorize a valuation on the tribal property of each reservation and the payment of the pro rata share of such valuation to each competent applicant, thereby separating him from further participation in tribal affairs and permitting him to shift for himself as any other citizen. But to give the large number of Indians still incompetent entire control of their individual and tribal property would be hardly less than a national crime and will not be sanely considered. To turn over in fee to nearly 200,000 restricted Indians all their property interests would pauperize 90 per cent of them, burden the States with additional poorhouses, and visit upon Congress the just wrath of an enlightened electorate. Under the so-called "declaration of policy" of a few years ago, giving fee patents to allottees of one-half or less of Indian blood without other evidence of competency, enough has been demonstrated to prove the injustice to the Indians themselves of their wholesale release from guardianship. Reports from various reservations show that very few such patentees under that policy have been able to protect themselves against the wiles of their shrewd neighbors and the chicanery of "land sharks." The White Earth Reservation, Minn., is an instance of the dangerous "turning-loose" policy, where under the law the lands of adult mixed bloods could be sold without governmental supervision, and where probably not more than 10 per cent of the allottees now own the lands allotted to them, the same having been acquired by the whites at grossly inadequate considerations and under circumstances little short of criminal operations. Similar conditions can be found on the Turtle Mountains, the Yankton, the Winnebago Reservations, and others, where individual examples can be gathered by the thousands of Indians who have received fee patents to their land, have parted with practically all of their possessions, and are pathetic objects of charity.

Chairman Vaux, of the Board of Indian Commissioners, whose attentive study of actual conditions deserves great respect, says of the Oneidas in Wisconsin:

The releasing of some of these Indians from all Government protection has been premature, and serious injustice has undoubtedly been done to a number who were not competent enough to handle their own business affairs. From a study of the experiences of these people it seems wise to go slow in forcing many Indians into independent citizenship before they are able to take care of themselves without outside assistance, irrespective of the degree of blood and educational qualifications, otherwise they may become paupers and charges on the community. The whole endeavor to force "competency" upon Indians too rapidly is believed to be a mistake. At Oneida, as well as other places, Indians were granted fee patents under the department's "declaration of policy," promulgated several years ago, which laid down some rather radical principles respecting competency when they were not really prepared for the responsibilities entailed by such action. This forcing of competency was undoubtedly not in the minds of the men who drew the "severalty act" of 1887.

The same practical observer, commenting on the Sisseton Agency, S. Dak., says:

Under the "declaration of policy" of 1917 practically all adult Indians of one-half blood or less were granted fee patents regardless of whether the individuals were competent or not, resulting in about 10 per cent making good use of their lands and the others suffering hardship after they had disposed of their property. Even of the very small number who still hold their patented land only a few of these actually make use of their property themselves.

In the face of such unbiased opinion can there be any question about the need of a conservative check against placing the whole mass of the Indian population upon their own responsibility, with most of them in helpless ignorance of how to resist the greed and graft of tricksters who are ready to swarm in their midst and despoil them of every privilege or possession that is rightfully theirs?

This "shift for himself" policy would entail other extreme misfortunes to the Indian. The present plan of enrolling Indian children in the public schools encounters stubborn opposition by local school boards in many localities, and this prejudice does not readily yield to the citizenized Indian. Besides, there are many isolated districts where there are no public schools, so that in such circumstances thousands of Indian children would be wholly deprived of school advantages. But a more dreadful probability arises in the sudden cessation of all Federal educational effort represented by the splendid boarding schools now in operation, where from 20,000 to 25,000 Indian boys and girls are trained in mind and body and spiritual aspiration for the tests and obligations that await them in a civilization where every man and woman must win success by individual ambition and industry. The product of these schools is the remaking of the Indian race. It is, more than any other factor, the virtue and the virility of the Indian generations to come, and to shatter these great potencies of progress would be a sign of intellectual and moral decadence that the American brain and heart will never approve.

Moreover, this "shifting for himself" would withdraw medical aid from the Indian and his family in thousands of instances throughout the West, because of their distance from the practice fields of regular physicians, and would leave them wholly dependent upon the crude and dangerous arts of the native medicine men. It would drive from Indian homes the faithful field matron and nurse whose kind Samaritanism and skill are a widespread blessing to the sick and a patient guidance to the happiness of hygienic living. There could not fail to be a deplorable backset to education, health, and domestic elevation of Indian life under the operation of this radical theory to "turn the Indians loose."

It sounds well to argue that "every reservation should be allotted to the Indians so that each may have his individual homestead," but it is another matter to fit the theory to the facts. The Indian Bureau is confronted by conditions it did not create. There are populous reservations in the Southwest of vast domain, but of semiarid character, where until water development can be further extended community and itinerant life is almost a necessity, and where in many instances a homestead allotment would have to be from 10 to 50 miles long to enable the owner to reach water within its boundaries. There are other physical characteristics in the way that could be mentioned. Identical conditions are found on no two reservations. To fit a blanket proposition to all parts of the Indian country and hope for successful and uniform results is a preposterous suggestion that may be summarily dismissed.

Wherever allotments are practicable the Indian Bureau has made and will make them as fast as possible. It may not be generally known, or even to some statesmen, that about 200,000 Indians have already received allotments totaling approximately 40,000,000 acres, and that of the 125,000 who remain to be allotted approximately one-half are in regions that will not admit of immediate allotment. Practically two-thirds of the Indians are now citizens, and more than half of that number have full control of their property and are no longer wards of the Government.

The administration of the property of incompetents and minors in the State courts, as proposed, would not only spread confusion and consternation among the Indians but in most cases would mean the absorption by local lawyers of the Indian's property. One of the best laws ever enacted was that of June 25, 1910, giving the Secretary of the Interior and the Commissioner of Indian Affairs authority to determine the heirs of deceased Indians and to approve or disapprove Indian wills. During the past seven years approximately 35,000 estates of Indians have been probated by the United States Government at an average cost of $26 per estate. Place these Indian estates in the State courts and see what would happen. The chances are each estate would be contested; appeals would be carried on to the highest court; expenses would finally result in the sale of the property to pay the costs of litigation, and the entire estate would probably be frittered away in unnecessary legal procedure.

No "certain fixed date" can be set for a final accounting with Indian tribes. By the very nature of the Indian people and the status of their enormous tribal property this is impracticable. A number of the tribal rolls have been finally closed for the disbursement or segregation of the tribal trust funds, and the moneys have been paid out to the Indians. Other rolls are in process of being closed, and the Indians are encouraged to take upon themselves the status of citizens and to assume full control of their property as soon as they are deemed to be competent. But, with some exceptions, the Indian character is not the same as the white man's. His use of a limitless domain for ages left undeveloped that instinct prominent in the Caucasian for individual assertion and acquirement, that personal propensity to "hustle" for himself.

The white man quickly detects this difference and too often his moral standards do not check him from taking advantage of it, but permit his commercial shrewdness to dangle gilded playthings before the eyes of the Indian as a barter for his possessions of permanent value. If white men in the vicinity of reservations felt an altruistic interest in the Indian superior to their covetousness for his property, the efforts of the Indian Bureau would be less obstructed. Before the Indian can cope with the white man he must be taught to want something better than he now has, and how to go about getting it and holding on to it. This sort of desire and ability should figure largely in the estimate of an Indian's competency, according to the present policy of the Indian Bureau. That is, the issuance of a patent in fee should be based largely upon the Indian's real accomplishments on his land or in the particular industry in which he is engaged, such as actual self-maintenance and evidence of both the ability and the inclination to exert it, for a definite period prior to his application for a fee title to his land. It is the earnest work of the Indian Service to create and stimulate this ambition, this individualism which can not be done hurriedly, and without which full citizenship in most cases is a misfortune to the Indian.

Mr. Malcolm McDowell, a penetrating observer and member of the Board of Indian Commissioners, points to the dangers of a too liberal course in releasing the Indians from the Government's protection. He says:

> The swindling of Indians who lease their lands without Federal supervision, the robbing of Indians of their lands by legal processes, the accumulation of unsettled estates, and the proper conservation of Indian property by the Government call for the repeal or modification of several acts. The approaching end of the 25-year trust period when all of the restricted members of the Five Civilized Tribes, most of whom are unprepared for the change, will be released from Government supervision demands the consideration of the proposition to extend the trust period beyond 1931.

To allow Indian tribal councils to administer their affairs is to assume that the Indians generally are as competent as the average whites. This we know is not the case and therefore the course suggested is indefensible from the standpoint of the interests of the Indians.

Under ample laws now existing the Indian is being citizenized and required to shift for himself at the earliest practicable date compatible with the treatment that would be accorded a white minor by a white guardian.

The Indian problem is no longer a matter of reservation. Each tribe or band or settlement of Indians requires individual or separate treatment, and a general plan of settlement would be disastrous where local conditions would require different treatment.

In a word, the only just, logical way to deal with the Indian problem is to consider each Indian as the problem. That is what the Government is now doing, and its course is a reasonable and common-sense method. To turn loose en masse all the Indians of this country would be to drive them like sheep into the wolf pen of financial greed. In fact, to do so would shock the moral sense of the Nation, practically exterminate the Indian race, increase the already onerous burden of the States groaning under heavy taxation, and put a stigma forever upon the fair name of the Union.

The onslaught upon the Indian Bureau, to which reference has been made here, is largely a whirlwind of verbiage, as appears in the following paragraph:

> The Indian Bureau is a despot which can do as it likes with the life, liberties, the possessions, and the occupation of every individual Indian on the rolls. Its only thought in meeting a problem is through tyrannical exercise of arbitrary power. Not by counsel, but by coercion does it undertake its tasks. It relies on force, never on fellowship. Its policy is the exact opposite of the fundamental principles upon which the American Nation was founded. To its inspection and control and interference is subject everything that an Indian does or says or thinks or has. It is the most determined enemy of personal freedom and civil liberty that can be found anywhere on earth since the Czar of all the Russias lost his throne.

Can anyone read such statements and not suspect that such utterances are the culmination of schemes and propaganda that have thus far been unsuccessful? Can anyone with the least inclination to fairness or a small knowledge of Indian affairs as administered by the Government's established agencies fail to be impressed from the very inherent quality of such statements that it is a total misrepresentation, based upon misconceptions that are not parallel with the Indian's highest welfare? It would seem that such unmerited abuse of upright, capable public service should be its own answer and condemnation wherever it receives the attention of sober and intelligent judgment.

No adequate mention has been made here of many other large phases of Indian progress that will appear to the honest investigator of Indian problems. The general improvement in the Indians' conditions as compared with any former period can be found in such facts as their better health and increasing population; in the largest school enrollment during their history; in the number who speak English and who can read and write that language; in the 80 per cent who wear citizen's garb and the more than 50,000 families living in permanent houses; in their moral and religious uplift through education and missionary influence, and the great increase of Indian marriages by legal procedure; in the number who have received allotments of land and their progress in citizenship; in their industrial advancement indicated by such items as $30,000,000 invested in home buildings and farm implements, nearly 1,000,000 acres under cultivation, $35,000,000 worth of live stock, annual crop production reaching $12,000,000, an annual income of $25,000,000 from minerals alone, and 37,000 of their farmers benefited by irrigation; in their splendid loyalty to the national flag and their brilliant record in the World War. Whoever will look impar-

tially for the proof of Indian betterment will be slow to denounce the Government's record.

Without doubt the Indians in times past have been unjustly treated. If we draw a conclusion from their earlier history or note their spoliation from individual examples of the white man's greed and weigh only administrative mistakes and shortcomings, we shall find much to condemn. But if, on the other hand, we measure Indian development in comparison with that of other races, admitting the incidental and regrettable things that human selfishness has put into all history in all times, but giving credit for the higher purposes and juster achievements that have prevailed; if we rationally estimate civilization, not as the growth of a few decades or even generations but as the evolution of centuries, and frame a verdict from the ripened results rather than from errors of judgment and pernicious motives along the way, we shall find that our Government, although not always blameless in its dealings with the Indian, has lifted him incomparably above the barbarous paganism of his precolonial era and brought him to a station and condition that insure the perpetuation and eminence of his race in the future of his native land.

At the request of the Commissioner of Indian Affairs, I submit herewith report of the Committee on Indian Affairs on the so-called Snyder bill affecting the Pueblo Indians:

[House Report No. 1748, Sixty-seventh Congress, fourth session.]

TITLES TO LANDS WITHIN PUEBLO INDIAN LAND GRANTS.

Mr. SNYDER, from the Committee on Indian Affairs, submitted the following report to accompany S. 3855:

The Committee on Indian Affairs, to whom was referred the bill (S. 3855) to quiet the titles to lands within Pueblo Indian land grants, and for other purposes, having considered the same, report thereon with a recommendation that it do pass without amendment.

The bill affects land claimed by the Pueblo Indians of New Mexico.

The history of the Pueblo Indians is extremely interesting, and it is necessary to briefly outline it in order to understand the necessity of legislation of the character now proposed.

There are 20 pueblos involved, with a total Indian population of between 8,000 and 9,000. Each pueblo consists of about 17,000 acres of land within its exterior boundaries, or a total of 340,000 acres in all.

These Indians were found by Coronado and the first Spanish explorers in 1541, many of them residing in the villages and occupying the same lands that the Pueblo Indians now occupy.

The right of these Indians to the lands occupied by them was recognized by the Spanish conquerors from early days. The first decree of record concerning them was issued by Charles V of Spain dated March 21, 1551, when they were ordered gathered into pueblos or towns. In 1687 a grant of lands was made to them by the King of Spain, and from that time on until the termination of Spanish dominion grants of land were made at various times, and the Spanish authorities supervised their affairs. The Spanish grant to each pueblo as finally conferred by Congress became 4 square leagues, 1 league in each direction from the center of the village or the door of the church.

Grants, however, were also made by Spain to Spaniards, some of which fell within or overlapped the grants to the Indians. Upon the termination of Spanish sovereignty these Indians came under the dominion of Mexico, and they were given enlarged political and civil rights by Mexico. All of the grants were held by the Indians and are now held in communal ownership.

Upon the acquisition by the United States from Mexico of the territory now comprising the State of New Mexico these Indians and their lands came under the jurisdiction of the United States, and in 1859 Congress confirmed the Spanish grants to the Indians, subject, however, to any valid adverse rights should any exist.

The status of these Indians as to whether or not they were wards of the Government was not definitely settled until 1913.

There was great difference of opinion as to their character and intelligence. In the case of United States *v.* Joseph, 94 U. S. 614, the Supreme Court of the United States, speaking of these Indians, said:

"The character and history of these people are not obscure, but occupy a well-known page in the story of Mexico, from the conquest of the country by Cortez to the cession of this part of it to the United States by the treaty of Guadaloupe Hidalgo. The subject is tempting and full of interest, but we have only space for a few well-considered sentences of the opinion of the chief justice of the court whose judgment we are reviewing:

"'For centuries,' he says, 'The Pueblo Indians have lived in villages, in fixed communities, each having its own municipal or local government. As far as their history can be traced they have been a pastoral and agricultural people, raising flocks and cultivating the soil. Since the introduction of the Spanish Catholic missionary into the country they have adopted mainly not only the Spanish language but the religion of a Christian church. In every pueblo is erected a church, dedicated to the worship of God according to the form of the Roman Catholic religion, and in nearly all is to be found a priest of this church, who is recognized as their spiritual guide and adviser. They manufacture nearly all of their blankets, clothing, agricultural and culinary implements, etc. Integrity and virtue among them is fostered and encouraged. They are intelligent as most nations or people deprived of means or facilities for education. Their names, their customs, their habits are similar to those of the people in whose midst they reside or in the midst of whom their pueblos are situated. The criminal records of the courts of the Territory scarcely contain the name of a Pueblo Indian. In short, they are a peaceable, industrious, intelligent, honest, and virtuous people. They are Indians only in feature, complexion, and a few of their habits; in all other respects superior to all but a few of the civilized Indian tribes of the country, and the equal of the most civilized thereof. This description of the Pueblo Indians, I think, will be deemed by all who know them as faithful and true in all respects. Such was their character at the time of the acquisition of New Mexico by the United States, such is their character now.'

"At the time the act of 1834 was passed there were no such Indians as these in the United States unless it be one or two reservations or tribes, such as the Senecas or Oneidas of New York, to whom, it is clear, the eleventh section of the statute could have no application. When it became necessary to extend the laws regulating intercourse with the Indians over our new acquisitions from Mexico there was ample room for the exercise of those laws among the nomadic Apaches, Comanches, Navajoes, and other tribes, whose incapacity for self-government required both for themselves and for the citizens of the country this guardian care of the General Government.

"The Pueblo Indians, if, indeed, they can be called Indians, had nothing in common with this class. The degree of civilization which they had attained centuries before their willing submission to all laws of the Mexican Government, the full recognition by that Government of all their civil rights, including that of voting and holding office, and their absorption into the general mass of the population (except that they held their lands in common), all forbid the idea that they should be classed with the Indian tribes for whom the intercourse acts were made, or that in the intent of the act of 1851 its provisions were applicable to them. The tribes for whom the act of 1834 was made were those semi-independent tribes whom our Government has always recognized as exempt from our laws, whether within or without the limits of an organized State or Territory, and, in regard to their domestic government, left to their own rules and traditions; in whom we have recognized the capacity to make treaties and with whom the Governments, State and National, deal, with a few exceptions only, in their national or tribal character and not as individuals.

"If the Pueblo Indians differ from the other inhabitants of New Mexico in holding lands in common, and in a certain patriarchal form of domestic life, they only resemble in this regard the Shakers and other communistic societies in this country, and can not for that reason be classed with the Indian tribes of whom we have been speaking."

However, in the case of United States *v.* Sandoval (213 U. S. 28) the Supreme Court took a different view of these Indians and held they were wards of the Government. In that case the court said:

"The people of the Pueblos, although sedentary rather than nomadic in their inclinations and disposed to peace and industry, are nevertheless Indians in race, customs, and domestic government, always living in separate and isolated communities, adhering to primitive modes of life, largely influenced by superstition and fetichism and chiefly governed according to the crude customs inherited from their ancestors. They are essentially a simple, uninformed, and inferior people."

Speaking of its previous opinion in the Joseph case the court said that the observations there made as to the character of these Indians "were evidently based upon statements in the opinion of the Territorial court, then under review, which are at variance with other recognized sources of information now available."

Up to the time of the decision of the Sandoval case in 1913 it had been assumed by both the Territorial and State courts of New Mexico that the Pueblos had the right to alienate their property. From earliest times also the Pueblos had invited Spaniards and other non-Indians to dwell with them, and in many cases Pueblos and individual Indians attempted to convey lands to non-Indians which under the decision in the Sandoval case they were not competent to do. As a result there are now approximately 3,000 claimants to lands within the exterior boundaries of the Pueblo grants. The non-Indian claimants with their families comprise about 12,000 persons. With few exceptions the non-Indian claims range from a town lot of 25 feet front to a few acres in extent. It was stated, however, in the hearings by all parties that probably 80 per cent of the claims are not resisted by the Indians, and only about 20 per cent of the number will be contested.

Another complication is due to the fact that under Spain and Mexico there were no surveys, hence descriptions were very loose and not subject to reliable identification for any great period of time. It is also alleged that non-Indian claimants have encroached upon Indian lands, have sought to enlarge the boundaries of their claims, and that the rights of the Indians are being constantly violated.

To settle the complicated questions of title and to secure for the Indians all of the lands to which they are equitably entitled is the purpose of this bill.

Section 1 provides for the institution in the District Court of the United States for the District of New Mexico, on behalf of the Pueblo Indians, a suit or suits to quiet title to the lands claimed by them.

By section 2 it is provided that before such suit or suits shall be brought a preliminary investigation of title to lands within the Pueblo grants shall be made by a board to be known as "Pueblo Lands Board," to consist of the Secretary of the Interior, the Attorney General, and a third member to be appointed by the President of the United States. It is made the duty of the said board to investigate, determine, and report the lands within the exterior boundaries of any lands granted or confirmed to the Pueblo Indians of New Mexico by any authority of the United States, or acquired by said Indians as a community by purchase or otherwise, title to which the said board shall find not to have been extinguished in accordance with the provisions of this act. However, all lands within such exterior boundaries are to be included except lands occupied by non-Indian claimants under color of title for a period of 20 years next preceding the passage of the act, or without such color of title but with claim of ownership for a period of 30 years next preceding the passage of the act. If the board is not unanimous that the Indian title is not extinguished to any tract of land, then such tract must be included in the suit. It is required that the board shall report upon each pueblo separately and copies of its report are to be filed in the United States District Court for the District of New Mexico, with the Attorney General of the United States, with the Secretary of the Interior, and with the Board of Indian Commissioners. Upon the filing of each report the Attorney General is required to file a suit to quiet title as aforesaid to the lands described in said report as Indian lands, the Indian title to which is not extinguished.

Section 4 provides that all non-Indian claimants claiming title to or ownership of any lands involved in such suit may plead adverse possession, as follows:

"(a) That in themselves, their ancestors, grantors, privies, or predecessors in interest or claim of interest, they have had open, notorious, actual, exclusive, continuous, adverse possession of the premises claimed for more than 20 years next preceding the passage of this act, under color of title; or

"(b) That in themselves, their ancestors, grantors, privies, or predecessors in interest or claim of interest, they have had open, notorious, actual, exclusive, continuous, adverse possession of the premises claimed for more than 30 years next preceding the passage of this act, with claim of ownership but without color of title."

If the plea of such limitation is successfully maintained, the claimants shall have a decree which shall have the effect of a quit-claim as against the United States and said Indians. The United States may plead the same statute of limitations in favor of the Indians and against

non-Indian claimants as non-Indian claimants may plead against the Indians.

Section 6 provides for surveys where necessary and approval by the court.

Section 7 provides that in all original proceedings necessary costs to be determined by the court shall be taxed against the United States, but if an appeal is taken from a final judgment or decree each party shall pay its own costs.

Section 10 provides, as to the lands within the exterior boundaries of the Indian lands referred to, not claimed on behalf of the Indians in such suit, that the Secretary of the Interior shall cause patents to be issued to those who are shown to be entitled thereto, relinquishing all claim of title by the United States of America and the said Indians to said tracts.

By section 11 it is provided that if a non-Indian party to any suit shall assert against the Indian title a claim based upon a Spanish or Mexican grant, and if the court shall find that such claim is superior to that of the Indian claim, no final decree or judgment of ouster shall be entered by the court or writ of possession or assistance shall be allowed against the Indians or any of them unless it shall also be found that such claimant could successfully plead the statute of limitations provided in section 4. In all such cases the court shall ascertain the area and value of the land held by non-Indian claimants, and the Secretary of the Interior is required to make report thereof to Congress with his recommendations. In other words, if any of these old Spanish or Mexican grants to non-Indian claimants shall be sustained as superior to that of the title of the Indians, if the claimant is not in possession so as to successfully plead the statute of limitations provided in section 4, the Indian shall not lose the land, but Congress will be given an opportunity to compensate the non-Indian claimants through appropriations out of the Treasury.

Section 12 provides that if a non-Indian claimant fails to sustain his claim to any land under the provisions of this act, but has held and occupied the same in good faith, claiming the same as his own, and the same has been improved, the value of the improvements shall be found by the court and reported by the Secretary of the Interior to Congress, with request for appropriations to pay such claimant for such improvements at the value so found by the court. In other words, if any non-Indian can not successfully plead the statute of limitation, the land with the improvements thereon shall go to the Indians, but if the claim has been in good faith the matter is to be reported to Congress with a view of compensating such claimant by appropriation out of the Treasury for these improvements.

Under section 13 it is provided that in certain cases lands found to belong to the Indians, but away from the main body of Indian land, may be sold with the consent of the governing authorities of the pueblo involved.

It is believed that this bill is a fair solution of the many complicated problems involved and that under it the rights of the Indians are fully protected, as well as the equitable rights of non-Indian claimants.

Your committee held extensive hearings on the subject and at the request of the Commissioner of Indian Affairs, Hon. Charles H. Burke, made broad inquiry, going into the matter of the serious charges which have been recklessly and generally made against the sworn officials of the Government who have the responsibility of administering the affairs of the Indians, and also investigated the campaign of propaganda which has been waged throughout the country dealing with the subject matter of the Pueblo Indians.

The hearings show:

"That Stella M. Atwood, of Riverside, Calif., is the chairman of the Indian welfare committee of the General Federation of Women's Clubs.

"That Mrs. Atwood was treated courteously by the Secretary of the Interior and by the Commissioner of Indian Affairs at all times, and her desire for information was facilitated by the officials.

"That in the pueblo matter she employed one John Collier, who became known as research agent of the General Federation of Women's Clubs.

"That John Collier employed Mr. Francis C. Wilson, of Santa Fe, who assumed thereafter to be the attorney of the General Federation of Women's Clubs.

"That John Collier spent many weeks among the pueblos, visiting each one, and holding meetings and exhorting the Indians.

"That on November 5, 1922, at the instance of Mr. Collier, all of the several pueblos met, through delegates elected, at Santo Domingo, where a council was held which was attended by John Collier and Mr. Francis C. Wilson.

"That at the Santo Domingo council a general appeal was framed and signed by representatives of each of the pueblos, which appeal was published and widely circulated.

"That in December, 1922, Mr. John Collier came to Washington; that he was contributing articles describing the alleged condition of the Pueblo Indians, and particularly articles in the Sunset Magazine, which contain sensational statements, and statements, by implication at least, assailing the integrity of officials in the State of New Mexico as well as the officials of the Government.

"That in January, 1923, 17 Pueblo Indians were brought to Washington, accompanied by Mr. Francis C. Wilson, attorney, and Mrs. Stella M. Atwood, chairman of the Indian welfare committee of the General Federation of Women's Clubs; that there was also in the party a Rev. Father Shuster, a Franciscan friar from the pueblo of Laguna; that the Indians were dressed in attractive and gaudy manner, said to be their ceremonial attire, and they were exhibited at meetings or functions in the city of Washington, later in New York City, and then Chicago.

"That on the occasion of these meetings John Collier, Mrs. Atwood, and others delivered addresses and an appeal was made for funds, and that more than $6,000 was collected in this manner and paid to Mrs. Atwood.

"That, in addition to the moneys collected by Mrs. Atwood, other organizations were formed and were soliciting funds—among others the Eastern Association of Indian Affairs in New York City—and appear to have collected about $2,300; that one Judson King issued an appeal, using the Collier propaganda, asking for contributions; there is no report as to what he may have collected."

The large amount of propaganda that has flooded the mails, newspapers, and magazines can not be passed without comment. Nothing to compare with it has heretofore been seen in connection with Indian legislation pending before Congress. This propaganda has been insidious, untruthful, and malicious and will result in great harm to the Indians of this country if it is permitted to be continued. Some of this propaganda is nothing more nor less than criminal libel. Those responsible for it have attempted to destroy the confidence of the Indians in the Indian Bureau and the officials who are by law charged with their guardianship. They have not only maligned and attempted to destroy the character of these responsible Government officials, but they have severely impugned the motives of Members of Congress. The hearings before this committee have demonstrated that these criticisms are without foundation. Some of those who are responsible for the propaganda themselves appeared before the committee as witnesses, and their testimony discloses that false and slanderous statements against the executive officers of our Government were without foundation or justification and not a single charge contained in some of the most sensational of the published statements, which were a part of the propaganda, was sustained by any competent evidence before your committee. On the contrary, those responsible for these published statements disclaimed any intention of conveying the sole impression that was possible for the average thinking person to reach after reading such publications. Those responsible for this propaganda deserve the strongest condemnation from all fair-minded people.

It was contended in this propaganda that the health conditions of the Pueblo Indians were deplorable and that they were receiving but little assistance from the Government. The facts as brought out in the hearings show that the Government is operating four hospitals among the 8,000 Pueblo Indians, with a total bed capacity of nearly 100; that there are maintained among the Pueblo Indians eight physicians, in addition to field matrons and nurses.

It was also shown in the hearings that there has been a substantial increase in the population of the Pueblo Indians during the last year, and that the health of these Indians is fairly good.

The propagandists attempted to make it appear that the Pueblo Indians were starving and were in serious need of assistance. The records disclose that only 2 of the 18 pueblos—San Ildefonso and Tesuque—with a total population of approximately 240 out of the 8,000 Pueblo Indians were in need of any assistance, and that the Government had provided them with ample funds to meet their needs.

It was also contended that but little had been done in the past for the Pueblo Indians by the Government. The testimony before your committee shows that during the last 10 years the Government has expended more than $8,000,000 for the Indians in New Mexico; that approximately $250,000 is being expended annually (out of gratuity appropriations from the Government) for educational work among Pueblo Indians; that two splendid boarding schools are being maintained for them at Albuquerque and Santa Fe, in addition to a large number of day schools, and that practically all of the Pueblo Indian children have excellent educational facilities.

It was claimed in this propaganda that the Indian Bureau had done nothing for these Indians as to irrigation, whereas the records show that during the last 15 years the Government has expended for the Pueblo Indians in Arizona and New Mexico, for irrigation purposes and development of domestic and stock water, $1,176,146.97.

It was also claimed that the Government has not provided the Pueblo Indians with sufficient water for irrigation purposes. The records show that there is under ditch in the Pueblo country 32,682 acres, whereas the Indians cultivated only 17,334 acres of that irrigated land, leaving 15,000 acres not under cultivation. In addition to providing irrigation systems, the Government has constructed in recent years 80 wells to supply the Pueblo Indians with domestic and stock water, at a cost of about $90,000.

It was contended by the propagandists that but little money was being appropriated for these Indians, but it was disclosed in the hearings that there are specific appropriations for the Pueblos for the fiscal year 1924 amounting to $86,000, and that the Government expended during the last fiscal year $408,761.66 out of all appropriations for the benefit of the Pueblo Indians.

It was shown in the hearings that the Indian Bureau has caused to be added to the Pueblos of New Mexico, by Executive order, during recent years a total of nearly 400,000 acres of land—to be exact, 397,193.27 acres.

It was also brought out in the hearings that the Indian Bureau is responsible for the legislation contained in the New Mexico enabling act, which protects the Pueblo Indians, and that under that legislation it will be impossible for any of the Pueblo Indians or the pueblos to lose title to any of their lands after the passage of the New Mexico enabling act of 1910.

Notwithstanding the fact that the Pueblo Indians have never ceded to the United States a single acre of land, and that the jurisdiction of the Federal Government was somewhat limited, as shown by the decision of the Supreme Court in the Joseph case (94 U. S. 614), until the admission of the Territory of New Mexico into statehood, and the decision of the Supreme Court in the Sandoval case (231 U. S. 28), it will be seen that the Government has been making liberal appropriations for many years for the Pueblo Indians. As shown by the hearings, the Government has provided generously for the education of the Pueblo children without cost to the Pueblo Indians. It has furnished them farmers and stockmen to encourage them in agriculture and stock raising; has provided a number of physicians for medical service, in addition to providing four substantial hospitals located among the pueblos, all without cost to the Indians, as well as furnishing them with irrigation systems on their lands. Also, it has made surveys for further improvement and extension of irrigation systems.

Nowhere has it been shown that the Government or the Indian Bureau has been negligent in protecting the interest of these Indians and looking after their welfare. On the other hand, it appears from the hearings that the Pueblo Indians have been treated equally as well, if not better, than the average Indians of the United States, and that annual expenditures for the Pueblo Indians have averaged approximately $50 per capita of gratuity appropriations from the Treasury of the United States.

Inasmuch as a recent act of Congress has granted to the State of New Mexico an additional Federal judge, it is believed by your committee that if this judge could be exclusively assigned to the hearing of the land-title claims of the Pueblo Indians it would not only be the proper but the least expensive and most practical method of relieving the situation.

REPRESENTATIVE HARDY OF TEXAS.

Mr. DAVIS of Tennessee. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Tennessee?

There was no objection.

Mr. DAVIS of Tennessee. Mr Speaker and gentlemen, at noon to-day the gentleman from Texas, Judge HARDY, voluntarily retires after 16 years of distinguished service as a Member of this body. During that entire time he has been a faithful, diligent, conscientious, able, and valuable member of the Committee on the Merchant Marine and Fisheries. In recognition of his services upon that committee and as an evidence of the esteem in which he is held by all the members of that committee, upon motion of the gentleman from Pennsylvania [Mr. EDMONDS], the Committee on the Merchant Marine and Fisheries unanimously adopted, and all the members thereof, except Judge HARDY, signed the resolutions which were spread upon the minutes of that committee. As I believe these resolutions correctly depict the views of all the Members of this House, I ask unanimous consent that I may incorporate them in my remarks. [Applause.]

The SPEAKER pro tempore. The gentleman from Tennessee asks unanimous consent to incorporate the resolutions referred to in his remarks. Is there objection?

There was no objection.

The resolutions are as follows:

Whereas Hon. RUFUS HARDY has been a Member of the House of Representatives from the sixth district of Texas for the past 16 years, and has during that period been a continuous member of the Committee on the Merchant Marine and Fisheries; and

Whereas he has rendered faithful, conscientious, and valuable service upon said committee and in the House of Representatives with respect to legislation reported out of said committee; and

Whereas the members of said committee hold Representative HARDY in the highest esteem and appreciate his faithful work and valuable counsel; and

Whereas, Judge HARDY is voluntarily retiring from Congress upon the expiration of his present term: Therefore be it

Resolved by the Committee on the Merchant Marine and Fisheries, That we deeply regret this decision of our colleague to retire from Congress, which will deprive this committee of his able work and wise counsel in our future deliberations; but that we wish for him every success and happiness in the future and continued usefulness in whatever line of endeavor to which he may apply himself; and be it further

Resolved, That the secretary of this committee be, and he is hereby, directed to spread these resolutions upon the minutes of the committee, and that a copy of the resolutions signed by the members of the committee shall be presented to Representative HARDY.

The SPEAKER pro tempore. The gentleman from Massachusetts [Mr. GREENE] is recognized for two minutes. [Applause.]

Mr. GREENE of Massachusetts. Mr. Speaker, I am the only member of the Committee on the Merchant Marine and Fisheries who has served with Judge HARDY the whole 16 years since he has been a Member. I want to say that I have been brought in close touch with him. Sometimes he has been with me, but more frequently in opposition, but the opposition has been beneficial to the work of the committee, because he has been clear-headed and thoughtful. He has presented everything in an orderly way and conducted himself so that all the committee are glad to send him home at the end of 16 years, when he voluntarily retires, with resolutions of appreciation signed by every member of the committee. [Applause.]

Judge HARDY is not quite as old as I am, and he is young in thought. He will do well, I have no doubt, in the State of Texas. I have had the pleasure of going to the State of Texas. I went there before I came to this House or ever thought of coming. It is a very large and very prosperous State; in fact, one of the most prosperous in the country. The only thing wrong about it is that some people there are very narrow politically, but the State itself is good enough for a Republican to live in. [Laughter.] If I was at liberty and had money enough, I would go down there and live, because it is a very comfortable State, but I have not money enough to go there. I am very glad to pay this tribute of love and respect to Judge HARDY, who voluntarily retires from the House with the close of the session to-day. [Applause.]

SENATE BILLS REFERRED.

Under clause 2, Rule XXIV, Senate bills and joint resolutions of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 4582. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 4580. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Hughes County and Stanley County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 4581. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 4152. An act for the relief of Frank A. Jahn; to the Committee on Naval Affairs.

S. 3895. An act for the relief of Benjamin H. Richardson; to the Committee on Pensions.

S. 3894. An act for the relief of De Kimpke Construction Co., of West Hoboken, N. J.; to the Committee on Claims.

S. 3843. An act for the relief of the owner of the steamship *Kin-Dave*; to the Committee on Claims.

S. 3805. An act to confer jurisdiction upon the Court of Claims to ascertain the cost of the Southern Pacific Co., a corporation, and the amounts expended by it from December 1, 1906, to November 30, 1907, inclosing and controlling the break in the Colorado River; to the Committee on Claims.

S. 3615. An act for the relief of Joseph F. Becker; to the Committee on Pensions.

S. 3503. An act to carry out the findings of the Court of Claims in the case of the Commercial Pacific Cable Co.; to the Committee on Claims.

S. 3226. An act for the relief of William J. Ewing; to the Committee on Claims.

S. 2625. An act for the relief of sufferers in New Mexico from the flood due to the overflow of the Rio Grande and its tributaries; to the Committee on Claims.

S. 1538. An act for the relief of Louis F. Meissner; to the Committee on Claims.

S. 1528. An act for the relief of Sophie K. Stephens; to the Committee on Claims.

S. 1513. An act for the relief of Margaret Nolan; to the Committee on Claims.

S. 1490. An act for the relief of G. T. and W. B. Hastings, partners, trading as Hastings Bros.; to the Committee on Claims.

S. 1104. An act for the relief of Marion B. Patterson; to the Committee on Claims.

S. 4396. An act for the relief of Eldredge & Mason, of Malone, N. Y.; to the Committee on Claims.

S. 4438. An act to amend section 1025 of the Revised Statutes of the United States; to the Committee on the Judiciary.

S. 4437. An act to amend section 284 of the Judicial Code of the United States; to the Committee on the Judiciary.

S. 4528. An act for the relief of the Kansas City, Mexico & Orient Railroad of Texas, Oklahoma, and Kansas; to the Committee on Interstate and Foreign Commerce.

S. 4463. An act to authorize the erection of a memorial monument or fountain as a gift to the people of the United States by the Henry B. F. MacFarland memorial committee; to the Committee on the Library.

S. 4192. An act to permit the correction of the general account of Charles B. Strecker, former Assistant Treasurer of the United States; to the Committee on Claims.

S. 3874. An act granting the consent of Congress for a bridge across the Rio Grande River; rereferred to the Committee on Interstate and Foreign Commerce.

S. 4119. An act authorizing the erection in the city of Washington of a monument in memory of the faithful colored mammies of the South; to the Committee on the Library.

S. 3078. An act to provide for the free transmission through the mails of certain publications for the blind; to the Committee on the Post Office and Post Roads.

S. 1847. An act to amend an act approved February 12, 1901, entitled "An act to provide for eliminating certain grade crossings on the line of the Baltimore & Potomac Railroad Co., in the city of Washington, D. C., and requiring said company to depress and elevate its tracks, and to enable it to relocate parts of its railroad therein, and for other purposes"; to the Committee on the District of Columbia.

S. 4448. An act for the relief of certain disbursing officers; to the Committee on Claims.

S. 4425. An act to authorize appropriations for the relief of certain officers of the Army of the United States; to the Committee on Claims.

S. 4254. An act for the relief of Elizabeth McKeller; to the Committee on Claims.

S. 4156. An act authorizing the accounting officers of the General Accounting Office to settle the accounts of W. H. Power; to the Committee on Claims.

S. J. Res. 283. A joint resolution directing the Public Utilities Commission of the District of Columbia to investigate rates charged by taxicabs and automobiles for hire; to the Committee on the District of Columbia.

S. J. Res. 290. A joint resolution authorizing the President of the United States to lease certain land in the District of Columbia, and pay rental from revenues derived from the

operation of Government hotels for Government workers; to the Committee on Public Buildings and Grounds.

S. J. Res. 278. A joint resolution providing for the continuation of register and receiver of the land office at Guthrie, Okla., at salaries in effect prior to act of January 24, 1923; to the Committee on Public Lands.

S. J. Res. 277. A joint resolution granting permission for the erection of a monument to symbolize the national game of base ball; to the Committee on the Library.

CREDITS IN THE ACCOUNTS OF CERTAIN DISBURSING OFFICERS OF THE ARMY.

Mr. SNELL. Mr. Speaker, I call up from the Speaker's table the bill (H. R. 11528) to allow credits in the accounts of certain disbursing officers of the Army of the United States, with Senate amendments thereto, and I move to concur in the Senate amendments.

The SPEAKER pro tempore. The gentleman from New York calls up a House bill with Senate amendments, which the Clerk will report.

The Clerk read the Senate amendments.

Mr. BLANTON. Mr. Speaker, is not that a question of unanimous consent?

The SPEAKER pro tempore. No; it is a matter of privilege. The question is on agreeing to the Senate amendments.

The Senate amendments were agreed to.

PUBLIC DISORDERS IN THE UNITED STATES.

Mr. JOHNSON of Washington. Mr. Speaker, I ask unanimous consent for the present consideration of Senate Concurrent Resolution 35, which is a matter reported from the Printing Committee, which I send to the desk and ask to have read.

The Clerk read as follows:

Senate Concurrent Resolution 35.

Resolved by the Senate (the House of Representatives concurring), That the Attorney General be, and is hereby, authorized and instructed to print, as an appendix to his last annual report, full copies of all telegraphic and other correspondence between the Department of Justice and public officers and agents, private persons, railroad companies, and their officers and agents, in the year 1922, relative to the disorders in the United States of America during said year and to the action taken by the Government of the United States in suppressing the same.

The SPEAKER pro tempore. Is there objection to the present consideration of the resolution?

There was no objection.

The SPEAKER pro tempore. The question is on agreeing to the resolution.

The resolution was agreed to.

TEXAS AND SOUTHWESTERN CATTLE RAISERS' ASSOCIATION.

Mr. HUDSPETH. Mr. Speaker, I ask unanimous consent to proceed for one minute?

The SPEAKER pro tempore. Is there objection?

There was no objection.

Mr. HUDSPETH. Mr. Speaker and gentlemen of the House, the Texas and Southwestern Cattle Raisers' Association, the greatest association on this earth in numbers and personnel, will meet in the greatest city in this country in the greatest State of the Union on the 12th day of March, 1923. I am authorized and requested to invite the Congress of the United States to meet in the city of El Paso at that time as the guests of that association. I am also authorized to state that your eats will be provided during the entire time that you are there, likewise your drinks. [Prolonged applause.]

VENTILATION OF THE HOUSE CHAMBER.

Mr. YOUNG. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to proceed for two minutes. Is there objection?

There was no objection.

Mr. YOUNG. Mr. Speaker, and gentlemen of the House, I desire to call attention to the ventilation in this Chamber.

Mr. McARTHUR. There is none.

Mr. YOUNG. My friend from Oregon [Mr. McARTHUR] appreciates the situation. There are no windows in any part of this Chamber and all the doors lead to hallways and corridors. The ventilation is all artificial. Modern hospitals now get air through windows. That is the best way. The Clerk of the House, Mr. William Tyler Page, at my request, has prepared a mortality statement of the Members of the House and Senate for the past 30 years, which I shall put in the RECORD. I call attention to the fact that when a Congress has been in session a large number of days, the mortality has greatly increased. The only exception was for the Sixty-third Congress, but it will be remembered that the Ways and Means was the only committee organized during the first session. The other committees did not function and the House was inactive much of the time. There were 23 deaths during the Sixty-seventh Congress.

Mr. SNELL. Does the table include political deaths that take place from time to time?

Mr. YOUNG. No. This is a matter, I think, that ought to be considered seriously, because unless something is done to give us real ventilation it may mean to all of us a death that is worse than political death. The gentleman from New Hampshire [Mr. WASON], made a statement in the restaurant recently that there was not a church or a school or any public meeting place in the State of New Hampshire that was not better ventilated than this Chamber.

Mr. BARKLEY. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. Yes.

Mr. BARKLEY. Is the gentleman trying to discourage opposition to sitting Members of the House by calling attention to the death rate? [Laughter.]

Mr. YOUNG. No. I want to have alterations made which will let the good pure air sweep through here, carrying all impurities before it. I would like to have it made a healthy work place not only for ourselves, but those who succeed us. I hope gentlemen will give this tabulation prepared by Mr. Page, Clerk of the House, a careful reading and consideration during the legislative recess. It is well worth while.

Mr. MANSFIELD. Mr. Speaker, will the gentleman yield?

Mr. YOUNG. Yes.

Mr. MANSFIELD. Would it not be better for us to cut out some of this hot air that we have here?

Mr. YOUNG. If we had direct ventilation through windows and doors we might be able to get some of the smoke and the bad air out of the Chamber. To my mind it is a very serious subject.

Mr. DAVIS of Tennessee. Does not the gentleman think it would be well, when the House adjourns every day, instead of closing all of the doors and keeping in the foul air, for some of the employees to get here early in the morning, open all the doors and the windows outside, and let fresh air pass through the Chamber?

Mr. YOUNG. I surely do. Mr. Speaker, I ask unanimous consent to print in the RECORD this statement which has been prepared by Mr. William Tyler Page.

The SPEAKER pro tempore. The gentleman from North Dakota asks unanimous consent to extend his remarks in the RECORD in the manner indicated. Is there objection?

There was no objection.

Necrology record of Congress—1893–1923.

FIFTY-THIRD CONGRESS, 1893–1895 (THREE SESSIONS).

(Total number of days, 447.)

Membership: Senate, 86; House, 357; total, 443. Deaths: Senate, 4; House, 11; total, 15. Per cent of deaths: Senate, 4; House, 3; both Houses, 3.3.

SENATE (4).

Leland Stanford, California, June 21, 1893.
Alfred H. Colquitt, Georgia, March 26, 1894.
Francis B. Stockbridge, Michigan, April 30, 1894.
Zebulon B. Vance, North Carolina, April 14, 1894.

HOUSE (11).

William Mutchler, Pennsylvania, June 23, 1893.
William H. Enochs, Ohio, July 13, 1893.
Philip S. Post, Illinois, January 6, 1895.
Marcus C. Lisle, Kentucky, July 7, 1894.
Robert F. Bratton, Maryland, May 10, 1894.
J. Logan Chipman, Michigan, August 17, 1893.
George W. Houk, Ohio, February 9, 1894.
Charles O'Neill, Pennsylvania, November 25, 1893.
Myron B. Wright, Pennsylvania, November 13, 1894.
William Lilly, Pennsylvania, December 1, 1893.
George B. Shaw, Wisconsin, August 27, 1894.

FIFTY-FOURTH CONGRESS, 1895–1897 (TWO SESSIONS).

(Total number of days, 280.)

Membership: Senate 86; House, 357; total, 443. Deaths: Senate, 0; House, 4; total, 4. Per cent of deaths: Senate, 0; House, 1; both Houses, 0.8.

SENATE.

None.

HOUSE (4).

Charles F. Crisp, Georgia, October 23, 1896.
Frederick Remann, Wisconsin, July 14, 1895.
William Cogswell, Massachusetts, May 22, 1895.
William H. Crain, Texas, February 6, 1896.

FIFTY-FIFTH CONGRESS, 1897–1899 (THREE SESSIONS).

(Total number of days, 435.)

Membership: Senate, 90; House, 357; total, 447. Deaths: Senate, 4; House, 12; total, 16. Per cent of deaths: Senate, 4; House, 3; both Houses, 3.57.

SENATE (4).

James Z. George, Mississippi, August 14, 1897.
Edward C. Walthall, Mississippi, April 21, 1898.
Isham G. Harris, Tennessee, July 8, 1897.
Justin S. Morrill, Vermont, December 28, 1898.

HOUSE (12).

Edward D. Cooke, Illinois, June 23, 1897.
William S. Holman, Indiana, April 22, 1897.
Nelson Dingley, Maine, January 13, 1899.
Seth L. Milliken, Maine, April 18, 1897.
Ashley B. Wright, Massachusetts, August 14, 1897.
John Simpkins, Massachusetts, March 27, 1898.
William F. Love, Mississippi, October 16, 1898.
Denis M. Hurley, New York, February 26, 1899.
Stephen A. Northway, Ohio, September 18, 1898.
James J. Davidson, Pennsylvania, December 2, 1897.
Joseph H. Earle, South Carolina, May 20, 1897.
John W. Cranford, Texas, March 2, 1899.

FIFTY-SIXTH CONGRESS, 1899–1901 (TWO SESSIONS).

(Total number of days, 277.)

Membership: Senate, 90; House, 357; total, 447. Deaths: Senate, 3; House, 13; total, 16. Per cent of deaths: Senate, 3; House, 3.6; both Houses, 3.5.

SENATE (3).

Garret A. Hobart, Vice President, New Jersey, November 21, 1899.
John H. Gear, Iowa, July 14, 1900.
Cushman K. Davis, Minnesota, November 27, 1900.

HOUSE (13).

John H. Hoffecker, Delaware, June 16, 1900.
Evan E. Settle, Kentucky, November 16, 1899.
Samuel T. Baird, Louisiana, April 22, 1899.
Richard P. Bland, Missouri, June 15, 1899.
Monroe L. Hayward, Nebraska, December 5, 1899.
William L. Greene, Nebraska, March 11, 1899.
Frank G. Clarke, New Hampshire, January 9, 1901.
William D. Daly, New Jersey, July 31, 1900.
Charles A. Chickering, New York, February 13, 1900.
Lorenzo Danford, Ohio, June 19, 1899.
Alfred C. Harmer, Pennsylvania, March 6, 1900.
Daniel Ermentrout, Pennsylvania, September 17, 1899.
Sydney P. Epes, Virginia, March 3, 1900.

FIFTY-SEVENTH CONGRESS, 1901–1903 (TWO SESSIONS)

(Total number of days, 305.)

Membership: Senate, 90; House, 357; total, 447. Deaths: Senate, 3; House, 14; total, 17. Per cent of deaths: Senate, 3; House, 3.9; both Houses, 3.7.

SENATE (3).

James McMillin, Michigan, August 10, 1902.
William J. Sewell, New Jersey, December 27, 1902.
James H. Kyle, South Dakota, July 1, 1901.

HOUSE (14).

Charles A. Russell, Connecticut, October 3, 1902.
John N. W. Rumple, Iowa, January 31, 1903.
Rosseau O. Crump, Michigan, May 1, 1901.
Joshua S. Salmon, New Jersey, May 6, 1902.
Amos J. Cummings, New York, May 2, 1902.
James M. Moody, North Carolina, February 5, 1903.
Thomas H. Tongue, Oregon, January 11, 1903.
Marriott Brosious, Pennsylvania, March 10, 1901.
Rufus K. Polk, Pennsylvania, March 5, 1902.
J. William Stokes, South Carolina, July 6, 1901.
R. C. De Graffenreid, Texas, October 11, 1902.
John L. Sheppard, Texas, August 30, 1902.
Robert E. Burke, Texas, June 5, 1901.
Peter J. Otey, Virginia, May 4, 1902.

FIFTY-EIGHTH CONGRESS, 1903–1905 (THREE SESSIONS).

(Total number of days, 262.)

Membership: Senate, 90; House, 386; total, 476. Deaths: Senate, 3; House, 7; total, 10. Per cent of deaths: Senate, 3; House, 1.8; both Houses, 2.

SENATE (3).

George F. Hoar, Massachusetts, September 30, 1904.
Marcus A. Hanna, Ohio, February 15, 1904.
Matthew S. Quay, Pennsylvania, May 28, 1904.

HOUSE (7).

Charles W. Thompson, Alabama, March 20, 1904.
William F. Mahoney, Illinois, December 27, 1904.
Vincent Boreing, Kentucky, September 16, 1903.
William W. Skiles, Ohio, January 9, 1904.
Henry Burk, Pennsylvania, December 5, 1903.
Robert W. Foerderer, Pennsylvania, July 26, 1903.
George W. Croft, South Carolina, March 9, 1904.

FIFTY-NINTH CONGRESS, 1905–1907 (TWO SESSIONS).

(Total number of days, 299.)

Membership: Senate, 90; House, 386; total, 476. Deaths: Senate, 5; House, 12; total, 17. Per cent of deaths: Senate, 5; House, 3; both Houses, 3.42.

SENATE (5).

Orville H. Platt, Connecticut, April 21, 1905.
Arthur Pue Gorman, Maryland, June 4, 1906.
Russell A. Alger, Michigan, January 24, 1907.
John H. Mitchell, Oregon, December 8, 1905.
William B. Bate, Tennessee, March 9, 1905.

HOUSE (12).

Rufus E. Lester, Georgia, June 16, 1906.
Robert R. Hitt, Illinois, September 19, 1906.
Benjamin F. Marsh, Illinois, June 2, 1905.
Rockwood Hoar, Massachusetts, November 1, 1906.
John H. Ketcham, New York, November 5, 1906.
William H. Flack, New York, February 2, 1907.
Robert Adams, Pennsylvania, June 1, 1906.
George A. Castor, Pennsylvania, February 19, 1906.
George R. Patterson, Pennsylvania, March 21, 1906.
John M. Pinckney, Texas, April 24, 1905.
John F. Rixey, Virginia, February 8, 1907.
Henry C. Adams, Wisconsin, July 9, 1906.

SIXTIETH CONGRESS, 1907–1909 (TWO SESSIONS).

(Total number of days, 268.)

Membership: Senate, 92; House, 386; total, 478. Deaths: Senate, 8; House, 10; total, 18. Per cent of deaths: Senate, 8; House, 3; both Houses, 3.76.

SENATE (8).

William P. Frye, Maine, December 5, 1907.
John T. Morgan, Alabama, June 11, 1907.
Edmund W. Pettus, Alabama, July 27, 1907.
Stephen R. Mallory, Florida, December 23, 1907.
William B. Allison, Iowa, August 4, 1908.
William Pinkney Whyte, Maryland, March 17, 1908.
Asbury C. Latimer, South Carolina, February 20, 1908.
Redfield Proctor, Vermont, March 4, 1908.

HOUSE (10).

Aristo A. Wiley, Alabama, June 17, 1908.
George W. Smith, Illinois, November 30, 1907.
Abraham L. Brick, Indiana, April 7, 1908.
Adolph Meyer, Louisiana, March 8, 1908.
Robert C. Davey, Louisiana, December 26, 1908.
Llewellyn Powers, Maine, July 28, 1908.
Charles T. Dunwell, New York, June 12, 1908.
Daniel D. L. Granger, Rhode Island, February 14, 1909.
William H. Parker, South Dakota, June 26, 1908.
Campbell B. Slemp, Virginia, October 13, 1907.

SIXTY-FIRST CONGRESS, 1909–1911 (THREE SESSIONS).

(Total number of days, 435.)

Membership: Senate, 92; House, 391; total, 483. Deaths: Senate, 8; House, 11; total, 19. Per cent of deaths: Senate, 8; House, 2.81; both Houses, 3.93.

SENATE (8).

Charles J. Hughes, Colorado, January 11, 1911.
Alexander S. Clay, Georgia, November 13, 1910.
Jonathan P. Dolliver, Iowa, October 15, 1910.
Samuel D. McEnery, Louisiana, June 28, 1910.
A. J. McLaurin, Mississippi, December 22, 1909.
Martin N. Johnson, North Dakota, October 21, 1909.
John W. Daniel, Virginia, June 29, 1910.
Stephen B. Elkins, West Virginia, January 4, 1911.

HOUSE (11).

James M. Griggs, Georgia, January 5, 1910.
Amos L. Allen, Maine, February 21, 1911.
Charles Q. Tirrell, Massachusetts, July 31, 1910.
William C. Loveing, Massachusetts, February 4, 1910.
David A. De Armond, Missouri, November 23, 1909.
James B. Perkins, Missouri, March 11, 1910.
Joel Cook, Pennsylvania, December 15, 1910.
William A. Foulkrod, Pennsylvania, November 13, 1910.
Walter P. Brownlow, Tennessee, July 8, 1910.
Francis R. Lassiter, Virginia, October 31, 1910.
Francis W. Cushman, Washington, July 6, 1909.

SIXTY-SECOND CONGRESS, 1911–1913 (THREE SESSIONS).

(Total number of days, 500.)

Membership: Senate, 92; House, 391; total, 483. Deaths: Senate, 6; House, 11; total, 17. Per cent of deaths: Senate, 6; House, 2.81; both Houses, 3.51.

SENATE (6).

James S. Sherman, Vice President, New York, October 30, 1912.
Robert L. Taylor, Tennessee, April 8, 1912.
George S. Nixon, Nevada, June 6, 1912.
Weldon B. Heyburn, Idaho, October 17, 1912.
Isidor Rayner, Maryland, November 25, 1912.
Jeff Davis, Arkansas, January 3, 1913.

HOUSE (11).

Edmund H. Madison, Kansas.
David J. Foster, Vermont, March 21, 1912.
Henry H. Bingham, Pennsylvania, March 23, 1912.
Robert C. Wickliffe, Louisiana, June 11, 1912.
Elbert H. Hubbard, Iowa, June 4, 1912.
George R. Malby, New York, July 5, 1912.
Carl C. Anderson, Ohio, October 1, 1912.
Richard E. Connell, New York, October 30, 1912.
George H. Utter, Rhode Island, November 3, 1912.
John G. McHenry, Pennsylvania, December 27, 1912.
William W. Wedemeyer, Michigan, January 2, 1913.

SIXTY-THIRD CONGRESS, 1913–1915 (THREE SESSIONS).

(Total number of days, 654.)

Membership: Senate, 96; House, 435; total, 531. Deaths: Senate, 3; House, 12; total, 15. Per cent of deaths: Senate, 3; House, 2.5; both Houses, 2.82.

SENATE (3).

Joseph F. Johnston, Alabama, August 8, 1913.
Augustus O. Bacon, Georgia, February 14, 1914.
William O. Bradley, Kentucky, May 23, 1914.

HOUSE (12).

George S. Legare, South Carolina, January 31, 1913.
Lewis J. Martin, New Jersey, May 5, 1913.
Forrest Goodwin, Maine, May 28, 1913.
George Konig, Maryland, May 31, 1913.
Timothy D. Sullivan, New York, August 31, 1913.
William H. Wilder, Massachusetts, September 11, 1913.
Seaborn A. Roddenbery, Georgia, September 25, 1913.
Irvin S. Pepper, Iowa, December 22, 1913.
Robert G. Bremner, New Jersey, February 5, 1914.
William Richardson, Alabama, March 31, 1914.
Edwin A. Merritt, jr., New York, December 14, 1914.
Sereno E. Payne, New York, December 10, 1914.

SIXTY-FOURTH CONGRESS, 1915–1917 (TWO SESSIONS).

(Total number of days, 368.)

Membership: Senate, 96; House, 435; total, 531. Deaths: Senate, 3; House, 7; total, 10. Per cent of deaths: Senate, 3; House, 1.6; both Houses, 1.88

SENATE (3).

Benjamin F. Shively, Indiana, March 4, 1916.
Edwin C. Burleigh, Maine, June 16, 1916.
James P. Clarke, Arkansas, October 1, 1916.

HOUSE (7).

William G. Brown, jr., West Virginia, March 9, 1916.
Hunter H. Moss, jr., West Virginia, July 15, 1916.
Luis M. Rivera, Porto Rico, November 15, 1916.
Samuel J. Tribble, Georgia, December 8, 1916.
David E. Finley, South Carolina, January 26, 1917.
Michael F. Conry, New York, March 2, 1917.

SIXTY-FIFTH CONGRESS, 1917–1919 (THREE SESSIONS).

(Total number of days, 634.)

Membership: Senate, 96; House, 435; total, 531. Deaths: Senate, 10; House, 15; total, 25. Per cent of deaths: Senate, 10; House, 3; both Houses, 4.7.

SENATE (10).

Francis G. Newlands, Nevada, December 24, 1917.
James H. Brady, Idaho, January 13, 1918.
Harry Lane, Oregon, May 23, 1917.
Paul Husting, Wisconsin, October 21, 1917.
Benj. R. Tillman, South Carolina, July 3, 1918.
Jacob H. Gallinger, New Hampshire, August 17, 1918.
Ollie M. James, Kentucky, August 28, 1918.
William Hughes, New Jersey, January 30, 1918.
Robert F. Broussard, Louisiana, April 12, 1918.
William J. Stone, Missouri, April 14, 1918.

HOUSE (15).

Cyrus A. Sulloway, New Hampshire, March 11, 1917.
H. T. Helgesen, North Dakota, April 10, 1917.
Daniel W. Comstock, Indiana, May 19, 1917.
Ebenezer J. Hill, Connecticut, September 27, 1917.
Charles Martin, Illinois, October 29, 1917.
E. R. Bathrick, Ohio, December 23, 1917.
John H. Capstick, New Jersey, March 17, 1918.
William A. Jones, Virginia, April 17, 1918.
James H. Davidson, Wisconsin, August 6, 1918.
J. F. C. Talbott, Maryland, October 5, 1918.
Jacob E. Meeker, Missouri, October 16, 1918.
John A. Sterling, Illinois, October 17, 1918.
E. E. Robins, Pennsylvania, January 25, 1919.
W. P. Borland, Missouri, February 20, 1919.
Harvey Helm, Kentucky, March 3, 1919.

SIXTY-SIXTH CONGRESS, 1919–1921 (THREE SESSIONS).

(Total number of days, 462.)

Membership: Senate, 96; House, 435; total, 531. Deaths: Senate, 2; House, 14; total, 16. Per cent of deaths: Senate, 2; House 3; both Houses, 3.

SENATE (2).

Thomas S. Martin, Virginia, November 12, 1919.
John H. Bankhead, Alabama, March 1, 1920.

HOUSE (14).

Albert Estopinal, Louisiana, April 28, 1919.
Charles Sulzer, Alaska, April 15, 1919.
J. L. Burnett, Alabama, May 13, 1919.
Carl Van Dyke, Minnesota, May 20, 1919.
J. Willard Ragsdale, South Carolina, July 23, 1919.
J. B. Thompson, Oklahoma, September 18, 1919.
C. A. Nichols, Michigan, April 25, 1920.
Dick T. Morgan, Oklahoma, July 4, 1920.
Mahlon M. Garland, Pennsylvania, November 19, 1920.
Walter A. Watson, Virginia, December 23, 1919.
William J. Browning, New Jersey, March 24, 1920.
Fred L. Blackmon, Alabama, February 7, 1921.
Champ Clark, Missouri, March 2, 1921.
Charles F. Booher, Missouri, January 21, 1921.

SIXTY-SEVENTH CONGRESS, 1921–1923 (FOUR SESSIONS).

(Total number of days, 624.)

Membership: Senate, 96; House, 435; total, 531. Deaths: Senate, 4; House, 19; total, 23. Per cent of deaths: Senate, 4; House, 4; both Houses, 4.35.

SENATE (4).

Philander C. Knox, Pennsylvania, October 12, 1921.
Boies Penrose, Pennsylvania, December 31, 1921.
William C. Crow, Pennsylvania, August 2, 1922.
Thomas E. Watson, Georgia, September 26, 1922.

HOUSE (18).

Charles F. Van de Water, California, November 20, 1920.
William H. Frankhauser, Michigan, May 9, 1921.
William E. Mason, Illinois, June 16, 1921.
Rorer A. James, Virginia, August 6, 1921.
Samuel M. Taylor, Arkansas, September 13, 1921.
Henry D. Flood, Virginia, December 8, 1921.
John A. Elston, California, December 15, 1921.
J. K. Kalanianaole, Hawaii, January 7, 1922.
Lucian W. Parrish, Texas, March 27, 1922.
Samuel M. Brinson, North Carolina, April 13, 1922.
Moses P. Kinkaid, Nebraska, July 6, 1922.
Lemuel P. Padgett, Tennessee, August 2, 1922.
Charles R. Connell, Pennsylvania, September 27, 1922.
John I. Nolan, California, November 18, 1922.
James R. Mann, Illinois, November 30, 1922.
Nestor Montoya, New Mexico, January 13, 1923.
Sherman E. Burroughs, New Hampshire, January 27, 1923.
Henry Z. Osborne, California, February 8, 1923.
W. Bourke Cockran, New York, March 1, 1923.

MESSAGE FROM THE SENATE.

A message from the Senate, by Mr. Craven, its Chief Clerk, announced that the Senate had passed the following bills and resolution:

S. 4580. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Hughes County and Stanley County, S. Dak.;

S. 4581. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; and

S. 4582. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.

Senate Resolution 473.

Resolved, That a committee of two Senators be appointed by the Vice President to join a similar committee appointed by the House of Representatives to wait upon the President of the United States and inform him that the two Houses, having completed the business of the present session, are ready to adjourn, unless the President has some further communication to make to them.

The message also 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. 14222) to amend the trading with the enemy act.

The message also announced that the Senate had passed the joint resolution (H. J. Res. 466) to provide an additional appropriation for the Federal Farm Loan Board for the fiscal year 1924.

SENATE BILLS REFERRED.

Under clause 2, Rule XXIII, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees as indicated below:

S. 4581. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Brule County and Lyman County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 4582. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Walworth County and Corson County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

S. 4580. An act granting the consent of Congress to the State of South Dakota for the construction of a bridge across the Missouri River between Hughes County and Stanley County, S. Dak.; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS SIGNED.

Mr. RICKETTS, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles, when the Speaker pro tempore signed the same:

H. R. 745. An act for the relief of William H. Philbrick;

H. R. 14226. An act to preserve the status of persons awarded compensation under the act approved September 17, 1916;

H. R. 12171. An act to grant certain lands to the city of Skagway, Alaska, for a public park;

H. R. 624. An act for the relief of Albert H. White, Mary E. Fowler, Lorena B. Winkler, E. E. White, and C. A. White;

H. R. 8051. An act for the relief of the Commonwealth & Dominion Line (Ltd.), owner of the British steamship *Port Phillip;*

H. R. 8533. An act for the relief of Joe T. White;

H. R. 8871. An act for the relief of Richard Andrews;

H. R. 9160. An act for the relief of John Anderson;

H. R. 12584. An act for the relief of Alice Loeber;

H. R. 13903. An act for the relief of the New York State Fair Commission;

H. J. Res. 465. Joint resolution carrying out the purpose of a House resolution providing for a legislative clerk to the acting minority leader of the House, adopted March 3, 1923;

H. R. 297. An act for the relief of Mrs. Vincenza Diminico;

H. R. 6196. An act for the relief of Robert E. Danforth;

H. R. 14222. An act to amend the trading with the enemy act;

H. R. 514. An act authorizing the payment of an amount equal to six months' pay to Josephine H. Barin;

H. R. 1227. An act for the relief of Frank G. Emmes;

H. R. 1263. An act for the relief of Charles L. McCulley;

H. R. 2347. An act for the relief of certain homestead entrymen;

H. R. 4653. An act for the relief of Allie Melinda Outterside;

H. R. 6577. An act authorizing the conveyance of certain land in the State of South Dakota to the Robert E. Kelley Post, No. 70, American Legion, South Dakota;

H. R. 7027. An act for the relief of Herbert E. Shenton;

H. R. 7921. An act granting six months' pay to Alice P. Dewey;

H. R. 8221. An act for the relief of the Chinese Government;

H. R. 8291. An act for the relief of Trygve Kristian Lode;

H. R. 8625. An act to provide for the cession to the State of Michigan of certain public lands in the county of Keweenaw, State of Michigan;

H. R. 8733. An act for the relief of Harold L. McKinley;

H. R. 9631. An act for the relief of Edward F. Dunne, jr.;

H. R. 10022. An act for the relief of Eldredge & Mason, of Malone, N. Y.;

H. R. 10847. An act for the relief of Jacob Dietch;

H. R. 10848. An act for the relief of Estella W. Dougherty;

H. R. 12053. An act to define butter and provide a standard therefor;

H. R. 12138. An act for the relief of Frank A. Jahn;

H. R. 13617. An act to dissolve the Colored Union Benevolent Association, and for other purposes;

H. R. 14089. An act granting six months' pay to Harriet B. Castle;

H. R. 14183. An act to authorize the Secretary of the Treasury to sell a portion of the Federal building site in the city of Duquoin, Ill.;

H. J. Res. 415. A joint resolution to authorize the improvement of the Columbia River at St. Helens, Oreg.;

H. J. Res. 442. A joint resolution to authorize the transportation to Porto Rico of a committee representing the Fourth Ohio Infantry, war with Spain;

H. R. 14296. An act to authorize the county of Huron, State of Michigan, to convey a certain described tract of land to the State of Michigan for public park purposes;

H. R. 13724. An act for the relief of Hugh Marshall Montgomery;

H. R. 13751. An act authorizing the Secretary of the Interior to sell and patent certain lands to Robert E. Wyche, a resident of Caddo Parish, La.;

H. R. 11528. An act to allow credits in the accounts of certain disbursing officers of the Army of the United States;

H. R. 5020. An act to provide for the sale by the Commissioners of the District of Columbia of certain land in the District of Columbia acquired for a school site, and for other purposes; and

H. R. 14428. An act granting the consent of Congress to the reconstruction, maintenance, and operation of an existing bridge across the Red River between Moorhead, Minn., and Fargo, N. Dak.

The SPEAKER pro tempore announced his signature to enrolled bills of the following titles:

S. 4594. An act to authorize the Secretary of State to acquire in Paris a site, with an erected building thereon, at a cost not to exceed $300,000, for the use of the diplomatic and consular establishments of the United States;

S. 4544. An act to authorize the extension of the period of restriction against alienation on surplus lands allotted to minor members of the Kansas or Kaw Tribe of Indians in Oklahoma;

S. 4614. An act to amend section 81 of the act entitled "An act to codify, revise, and amend the laws relating to the judiciary," approved March 3, 1911;

S. 3424. An act to provide for the reclamation of the United States Military Reservation, Fort De Russy, Honolulu, Hawaii; and

S. 4322. An act for the relief of the owners of the barge *Havana.*

THE WORK OF THE CONGRESS.

Mr. MONDELL. Mr. Speaker, I ask unanimous consent to address the House for 10 minutes on the work of the Congress.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent to address the House for 10 minutes on the work of the Congress. Is there objection?

There was no objection.

Mr. MONDELL. Mr. Speaker, the Congress now closing is unique in our history in that it has held four sessions, and in the further fact that it has been in session more days than any other Congress in our history, with one exception. The volume of business transacted has been enormous, the problems met and passed upon, many and difficult. In my opinion, the verdict of history will be that no Congress has met its great duties and responsibilities in a finer way or handled them more satisfactorily; and this applies with particular force, in my opinion, to the record of the House of Representatives. [Applause.]

In saying this I want to pay tribute to the cooperation of the minority. [Applause.] We have had many questions before us, not political in character, in the settlement of which we have had the finest cooperation on the part of Members on the Democratic side.

Precisely one-half of the term of the present national administration has passed. The best possible test of its accomplishments will be found, I think, in a survey of general conditions in the country to-day in contrast with those of two years ago to-day. I do not hesitate to say that such a survey will convince any fair observer that our country has made in this period a far greater advance than any other great nation has accomplished in the same period.

Looking back from the stage of lively industrial and commercial activity which we now occupy we are likely to forget that two years ago the country was in a condition of acute business depression, one incident of which was a state of unemployment without parallel in our history. The most thorough and conservative analysis of the situation at that time placed the number of unemployed producers at from four and a half million to five million. The situation contained many elements of positive menace to the country. From many quarters there were demands for the inauguration of various plans of paternalistic aid and schemes of State socialism. Such so-called remedies were adopted in other countries with results which are now universally recognized as disastrous.

Fortunately the American Government determined to deal with the situation by making an appeal to the native genius, the cooperative instinct, the desire for service and helpfulness, so characteristic of our people. Instead of taking the Government into business and putting premiums on unemployment, plans were laid for enlisting the efforts of all our people in the amelioration of conditions. Conferences on housing, on unemployment, on agricultural conditions were held. Steps were taken to ease the difficult credit situation by a prompt reversal of the policy of extreme and drastic deflation and the extension of sane and timely aid. Measures were taken to encourage effectively the development of foreign demand and domestic and foreign markets for our agricultural products. Thus the American community was given aid, direction, and leadership in the effort to help itself.

The story of how well these policies succeeded is known to all. To-day, instead of having 5,000,000 men out of employment, the country has many jobs seeking workers and unable to find them. Moreover, this has been accomplished without that enormous deflation of the wages of the workers which many insisted was absolutely necessary before industry could be resumed on a sound basis. Following some early wage reductions, the tendency for a long period now has been upward rather than downward. The results of these two years of legislation and administration are inspiring. Turn where you will in the world, you will find no country that has been able to parallel our accomplishments in the last two years. Go

into the history of industrial cycles as the economists have written that history and you will find no record so impressive, so thoroughgoing a recovery from a desperately bad situation in anything like so brief a period.

THE RECORD OF THE CONGRESS.

In carrying out the policies of the party, upholding the hands of and cooperating with the administration, the Congress, particularly the House of Representatives, has played a conspicuous and leading part. No Congress that ever sat has been more diligent in attendance upon the public business. The House of Representatives has made a particularly splendid record of wise economy, sound and helpful legislation. [Applause.]

During the Sixty-seventh Congress 931 laws were placed upon the statute books; of these 655 were of a public and 276 of a private character. This is at the rate of approximately one and one-half laws for every one of the 624 days in which the Congress was in session. In addition to these, the House considered and passed 144 measures which did not become laws or reach a stage of final consideration by the Congress. Some of these were of great importance, such as the resolution for an amendment to the Constitution with a view of doing away with income tax-free securities, the shipping bill, and the antilynching bill.

On the 20th of last September, at the close of the second session of this Congress, I addressed the House on the record of the Sixty-seventh Congress up to that time, and in doing so I found it necessary to refer briefly to the work of the Sixty-sixth Congress in order to secure the proper perspective for the work of the Sixty-seventh Congess, and following that I outlined the legislation of the Sixty-seventh Congress up to that time. With the permission of the House I shall insert at this point some extracts from that address, as follows:

PATRIOTIC COOPERATION.

"Providence, whose ways are past finding out, willed that our party should not occupy the seats of national power when the great conflict in Europe threw its menace across the face of the earth, and that fact afforded opportunity for the display of the finest spirit of patriotic cooperation and helpfulness ever shown by an opposition and minority party in all the annals of civil government. This party, that had proven its loyalty and strength when in position of responsibility and control, rose to the supreme height of unselfish patriotic helpfulness as a minority in the hour of the Nation's need and peril.

THE SIXTY-SIXTH CONGRESS.

"The backhanded reward for that patriotic service came in the nature of a presidential call to place none but Democrats on guard, and the American people answered with the Republican Sixty-sixth Congress.

"We must begin with that Congress if we are to secure the perspective from which to intelligently view the outlook of to-day. The President, who had asked for a Congress of a different political faith, was compelled to call it into session in May, 1919, to enact the seven great supply bills which its Democratic predecessor had failed to pass. The Congress promptly justified the people's faith by reducing the appropriation bills $940,000,000 below the sums they carried when considered in the former Democratic Congress.

"When that Republican Congress met six months had passed since the signing of the armistice, but we were just reaching the peak of our war expenditures. In the fiscal year then drawing toward its close the total expenditures of the Government were $18,500,000,000—a sum greater than our total Government expenditures in the 30 years preceding the outbreak of the European war. The total gross public debt of the United States had risen from the sum of a little over $1,000,000,000 at the outbreak of the war to the stupendous sum of almost $26,000,000,000.

"We were still technically and officially at war. The railroads were still being operated by the Government at a cost to the taxpayer of nearly $2,000,000 a day, with high rates and poor service. The telegraph and telephone lines were still under the public control. The war laws were still upon the statute books. More than $30,000,000,000 of the people's money had been expended since the war began—more money than the Government had spent in all the years since the Civil War. All the world outside our borders was prostrate from the effects of the Great War and not an industry or an enterprise anywhere was functioning normally. This was the condition of affairs when we first came into responsibility after the Great War.

WHAT THE SIXTY-SIXTH CONGRESS DID.

"That Congress returned the railroads, the telegraph, telephone, and cable lines to their owners; passed comprehensive legislation for the compensation, hospitalization, and vocational training of the veterans of the World War; adopted the woman suffrage amendment; placed on the statute books a complete and comprehensive national prohibition law; enacted the general leasing and water power acts; the civil service retirement act; the act for the relief of those disabled in industry; the Army reorganization act; and other constructive measures too numerous to mention.

"That Congress passed the Budget act only to meet with a presidential veto. It attempted to restore a condition of official peace with a like result, and even a resolution repealing the war laws, attempting to restore constitutional conditions of government, failed because a President drunk with power refused, a year after the war was over, to surrender one iota of his extraordinary and despotic power.

"This Sixty-sixth Congress, which began its record with a saving of nearly a billion dollars on seven appropriation bills, continued its record of economy by reducing the appropriations nearly two and one-half million dollars below the estimates. The expenditure of eighteen and one-half billions in the fiscal year in which the Congress began its sessions was reduced to an expenditure of less than six and one-half billions in the first full fiscal year for which the Congress appropriated and to an expenditure of a little more than five billions in the fiscal year during which the Congress ended.

BEGINNING OF THE HARDING ADMINISTRATION.

"The splendid record of the Sixty-sixth Congress for economy and constructive legislation challenged the admiration of the American people and paved the way for the wonderful victory of 1920, while the multiplying evidences of extravagance, incompetency, and graft which characterized the Wilson administration rendered inevitable the astounding victory which gave us a Republican President and a Republican Congress on the 4th of March, 1921.

"April 11 saw the Congress in special session, charged by the President with the duty of lifting the tax burdens, revising the tariff, restoring peace, and legislating toward the restoration of normalcy.

"The inevitable reaction from a period of enormous inflation and expenditure, of high wages, flush times, and easy money had arrived. The cold gray dawn of the morning after was upon us. The dance was over and the fiddler was demanding his pay.

"The multiplied ills of the period of deflation, acute everywhere, fell most heavily upon the farmer and the stockman, and to his relief the new administration and the new Congress turned even before it took up the great tasks of general tax and tariff legislation, of budgetary and general restoration and reform.

"All the world beyond our borders was in acute distress, or threatened with bankruptcy and financial collapse. Ours was the only treasure chest in the world fr m which real money could be secured in exchange for commodities, and so they came to us from the ends of the earth, pouring through every customhouse. Eggs from China, frozen meats from Australia and the Argentine, wool from everywhere, and prices of these and other farm products were on the toboggan.

AGRICULTURAL LEGISLATION.

"Within two days after the Congress met the House of Representatives reported an emergency agricultural tariff bill. Within two more days it had passed the House, and in a little more than a month it was a law. It checked the downward trend of prices, and gradually, as the surplus of imported stocks was exhausted, there came the upward trend. Wool soon reached a fairly remunerative level and, with the return of normal and favorable conditions, bound to follow the settlement of the coal and rail strikes, there is every prospect of satisfactory prices for all agricultural products.

"The passage of the emergency tariff bill only partly met the needs of the agricultural and live-stock industries. The staggering blows these industries had received demanded heroic and unusual remedies. Credit and an abundance of it was essential.

"It was not an easy problem from a national standpoint. The first suggestions were neither adequate nor practical, but the administration and the Congress worked out the problem through the revival, the extension, and the enlargement of the powers of the War Finance Corporation and the establishment of a credit of a billion dollars in this institution. Four hundred millions have been advanced—approximately three hundred millions to the farmers and the stockmen of the West.

"It is no exaggeration to say that these two measures—the emergency tariff and the war finance loans—have been the

salvation, the saving, of the live-stock industry of the West, and in saving that industry the Nation has performed a great service not only for those directly interested but for those indirectly interested in the maintenance of an adequate meat supply for the Nation.

"Some of the down-east folks have been inclined to think that this Congress was organized mainly to look after the interests of the farmer and the stockman of the country, and this view has a considerable basis in the long list of the legislation of the Congress helpful to those industries and interests. It includes such important legislation as the packer bill, which was reported in the House of Representatives within a month after the Congress assembled, was passed promptly, and after some delay in the Senate became a law on August 4, 1921; the bill prohibiting gambling in grain futures, which passed the House within a month after the Congress convened, and became a law only to be held unconstitutional by the Supreme Court. A new measure, believed to be constitutional, was promptly passed and is now a law.

"The cooperative marketing act was reported to the House of Representatives and passed that body in less than 30 days after the Congress met, and after a long delay in the Senate it became a law in February last. These and other bills, enlarging the facilities of the land banks and otherwise aiding and assisting agriculture, have received the prompt attention and consideration of the Congress.

GENERAL LEGISLATION.

"But legislation in the aid of agriculture, while it had the first attention of Congress, by no means monopolized its energies. The Budget bill which fell under the ax of President Wilson's veto was revived promptly, placed upon the statute books, and through the appointment of Gen. Charles G. Dawes as Budget Director got actively at work.

"The peace resolution, relieved from the menace of a presidential veto, restored a condition of official peace with the Central Empires.

"The tax revision, reducing the annual tax burden nearly a billion dollars.

"The Fordney tariff, under which the Nation's labor and industries are protected.

"The maternity bill, the prompt passage of which had been recommended by President Harding, after some delay and vicissitudes, became a law.

"All national activities in behalf of the disabled and injured soldiers were combined in the Veterans' Bureau.

"The national highway act—highly important provisions were placed upon the statute books.

"The immigration restriction act.

"The acts to prevent profiteering in coal and providing for a coal fact finding commission.

"The Shipping Board and Emergency Fleet Corporation were placed upon a more substantial basis, pending further legislation in the aid of the merchant marine.

"The foreign debt refunding act provides a commission and authority for the refunding of the $11,000,000,000 debt owed us by foreign nations.

"All these and much more in the way of useful, helpful, and constructive legislation occupied the time and attention of the Congress.

THE TAX REVISION LIFTING THE BURDEN.

"The House took up and passed the general tariff bill first, but the Senate reversed the order and passed the tax bill before they began to give consideration to the general tariff.

"The tax revision could not, in the nature of things, have satisfied everybody, nor was it possible, under the conditions of the Public Treasury, and in view of the obligations and increased demands growing out of or resulting from the war, to reduce the tax burden to the extent that the Congress would have been glad to have reduced it. It must, however, be admitted by all that so far as the revision went it proceeded along sound and sane lines. There was an actual lifting rather than a shifting of the tax burden. There was not only an honest but a successful attempt to relieve fairly and equitably, so far as was possible under the circumstances, the tax burdens of all classes of the people. It reduced the burden for the calendar year 1921 in the sum of approximately $800,000,000 and, according to the latest estimates of the Treasury, relieves the tax burden for the present calendar year nearly a billion dollars.

BURDEN LIFTED EQUITABLY.

"The Federal taxgatherer no longer collects taxes on ice-cream cones, soda water, pills and lotions, or parcel post, nor exacts tribute on transportation or on the purchase of wearing apparel. The man of moderate means, and particularly such a man with a family, has had his income-tax burdens appreciably lightened. Those classes of taxation which were most successfully passed on to the consuming public, or which most hampered and retarded business transactions and discouraged or prevented the growth and development of productive enterprise, like the excess-profits tax and the higher brackets of the surtax, no longer exercise their deterrent effects upon business and development. In the nature of things this was not a finality in tax revision, for, as we get away from the war burdens and escape the inevitable expenditures of the war's aftermath, we shall be able to still further lighten the burden of direct Federal levies and relieve the people and the industry of the country from the handicap that heavy taxation inevitably entails.

"The tax on transportation has been lifted in the sum of $270,000,000; the tax on amusement admission and dues, $100,000,000; on parcel post, $20,000,000; and so on down the line. The excess-profits tax, justified for a brief period in time of war, indefensible in time of peace because it was inevitably passed on and multiplied to the consumer, was repealed. The high income surtaxes, 67 per cent on large incomes, were reduced to 50 per cent, or a total of 58 per cent with the normal tax, with the hope of bringing about the return of large incomes from the field of tax-free securities to the field of productive industry—a field in which we of the West, needing development, are tremendously interested.

"What shall we do with the ten or fifteen billion income-tax free State, county, municipal, and school district bonds? So long as they remain tax free it is useless to assess an income tax of 58 per cent on the earnings of large fortunes. They simply stop earning in productive enterprise and go into the tax-free field. We must either get the States, school districts, and municipalities to give up the benefits of having their bonds tax free, or we must reduce the high surtax and thus secure a greater tax return from large fortunes than we are able to secure with a high surtax which can be escaped in the safe haven of tax-free bonds.

"There is a bill before the House of Representatives proposing a constitutional amendment to enable the Federal Government to tax these bonds of the States and their subdivisions. The matter will be put up to the people of the States for them to decide what they desire to do about it.

REVISION OF THE TARIFF.

"Congress has had no more important problem before it than that of the revision of the tariff laws. The House proceeded to the consideration of the question promptly and vigorously, and prepared and passed the Fordney tariff bill in a little more than three months after the assembling of the Congress.

"There has been much criticism of the long delay of the tariff in the Senate, 13 months having elapsed from the time the bill was presented to that body until it passed. It must be remembered, however, that never had conditions surrounding the preparation and enactment of tariff legislation been so trying; never has the ascertainment of foreign costs been so difficult; never have prices and values been so rapidly and widely fluctuating.

"The House adopted a plan of American valuation of imports. The Senate fixed its rates on the basis of foreign valuation. The same ad valorem rates, therefore, give a higher measure of protection in the House than in the Senate bill.

"As finally agreed upon the rule of foreign valuation was, in the main, adopted, but with it a most important provision, under which the President is authorized under certain conditions to increase or decrease rates not to exceed 50 per cent or to transfer them to American valuation. This provision empowers the President to meet, to a very considerable extent at least, the conditions that seemed to demand and justify American valuation; it grants the President discretionary powers to impose additional duties or prohibitions upon imports from any country discriminating against the overseas commerce of the United States.

RATES AND PROVISIONS.

"Notwithstanding the very great difficulties surrounding the preparation of tariff legislation at this time the bill as prepared and perfected will, it is believed, prove, taken all in all, the best tariff measure that has ever been placed upon the statute books. The rates, while high enough to afford needed relief from the effects of the Underwood tariff law, still average lower than the rates under the Payne-Aldrich tariff law, and lower than the rates under any Republican tariff bill heretofore enacted.

Some of the agricultural schedules are somewhat higher than the Payne rates, but lower than the rates carried in the emergency tariff bill, which the general tariff supersedes.

"The administrative features of the bill are admirable, and are a very substantial improvement over the provisions of existing law. The provisions of the act place in the hands of the President authority to meet any situation which may develop under which the rates provided may require adjustment."

HOW THE NEW TARIFF HAS WORKED.

What I said on the 20th of last September, as above quoted, applies equally now.

Notwithstanding the difficulties which surrounded the enactment of a tariff bill our experience under the Fordney-McCumber Act has demonstrated the wisdom of that legislation. Under it our productive industries have returned to or are rapidly reaching a condition of normal and prosperous operation. In many lines production has largely increased and the handicaps, hindrances, and difficulties of war and after-war conditions have very largely passed away. The most impressive fact in connection with this readjustment and return of normalcy and prosperity is to be found in the wiping out of the appalling register of the unemployed—the fact that there is a job and employment for all who seek it.

The figures of imports and exports and of customs receipts for the months of October, November, and December, 1922, the first three months of the new tariff and the latest which have been compiled, are most satisfactory from the standpoint of the friends of the new tariff act and must be rather disconcerting to those who prophesied its failure. It was widely and vigorously asserted that the new tariff would seriously interfere with our foreign trade, would make it impossible for Europe to sell us goods and thus meet their obligations, and that it would close the doors of the world to our products. It was even prophesied that we would fail to secure any considerable additional revenue. All these forebodings and prophecies have failed and gone awry. Both imports and exports have increased. Imports have increased approximately $180,000,000 in the three months referred to, as compared with the corresponding three months of the preceding year, while exports have increased approximately $212,000,000 for the same period.

The customs receipts during the same period under the new tariff have been approximately $42,000,000 above the receipts under the old tariff for the same period of the previous year, or at the rate of approximately $150,000,000 annually. The figures are as follows:

Imports and exports.

Month.	Imports.		Exports.	
	1922	1921	1922	1921
October	$276,082,699	$188,007,629	$370,718,595	$343,330,815
November	291,905,785	210,948,036	380,056,542	294,092,219
December (estimated)	297,000,000	237,495,505	344,425,364	296,198,373

Customs receipts.

Month.	1922	1921
October	$40,135,000	$26,408,000
November	41,647,000	24,843,000
December	37,502,000	26,155,000

ECONOMY AND RETRENCHMENT.

Nothing has been more urgent and essential to the restoration of normal and favorable conditions in the country than the exercise of strict economy in Government expenditure. The riot of waste and extravagance during the period of the war laid burdens and obligations and put in motion operations that it was exceedingly difficult—in many cases impossible—to avoid, curtail, or eliminate immediately after the close of the war. Notwithstanding the difficulties in the way, the problems were met earnestly and courageously, and, thanks to the new Budget system, to the earnest and faithful efforts of President Harding, to the cooperation that has existed between the Congress and the administration, the results have been gratifying in the extreme.

As a result of economy and good business management of the Nation's affairs, the total gross debt of the Nation was reduced from $26,594,267,878 on August 31, 1919, when it reached its peak, to $22,715,338,730 on February 28, 1923, a total reduction of $3,878,929,148 in three and one-half years.

The reduction in expenditures by years has been as follows:

Fiscal year 1919	$18,514,879,955.00
Fiscal year 1920	6,560,467,535.13
Fiscal year 1921	5,538,209,189.30
Fiscal year 1922	3,795,302,499.84
Fiscal year 1923 (estimated January 15)	3,574,554,132.00

The enormous reduction of more than $12,000,000,000 between the expenditures of 1919 and 1920 is the more striking feature of this comparison. But other than that, the most remarkable showing ever made in Government retrenchment in time of peace is to be found in the expenditures for the fiscal year which closed last July of nearly three billions below the expenditures for 1920.

STILL PAYING WAR COSTS.

The triumph of economy and good administration which these figures eloquently portray is more clearly understood when we take into consideration the fact that we are still paying out of current revenues vast sums to meet war costs and war obligations. The appropriations made the present fiscal year also include large sums for like purposes. Some of these expenditures out of current revenues for the present fiscal year are, in round figures, as follows:

Interest on war savings certificates of 1918	$125,000,000
Railroad Administration	133,000,000
Transportation act	16,000,000
Custom and internal-revenue refunds	140,000,000
War Finance Corporation	125,000,000
Total	539,000,000

While the last of these items can not, perhaps, be charged wholly to war expenditures and conditions, the other items, totaling $414,000,000, are clearly and definitely war costs and war expenditures. The savings certificates were sold during the war period with interest deferred to the time of their final cancellation. Expenditures on account of the railroad administration and the transportation act were to cover war obligations. The refunds were of sums collected and used during the war period. Eliminating these items from the total estimate of this year's expenditures the total is but $3,160,554,132, of which $284,000,000 is for the reduction of the public debt.

We have, in the face of tremendous difficulties, at last reached a position from which we can survey the difficult road over which we have traveled and appraise the splendid results triumphantly achieved. In three years we have reduced the national debt as much as it was reduced between the close of the Civil War and the beginning of the World War. The tax burden has been lifted in the sum of almost a billion dollars per year. The national expenditures, notwithstanding the war overhang, have been decreasing at the rate of approximately a billion dollars a year, until we have reached the point where further reduction can only be made as we eliminate those factors of war expenditure, which fortunately will, in the main, be met during the present fiscal year.

OPERATIONS OF THE APPROPRIATIONS COMMITTEE.

The short session witnessed the first operations of the new consolidated Appropriations Committee under the Budget system in full swing. The House made a record in the matter of the passage of the appropriation bills, the last of the bills having been passed on January 22, more than a month earlier than at any previous session. The bills were well considered in committee and were given rather unusually thorough consideration on the floor of the House. The consolidation of appropriations in one committee has been fully justified by our experience thus far. It makes for the dispatch of business and for the careful consideration and balancing of appropriations. Notwithstanding the fact that one very considerable increase for rivers and harbors was made by the Congress above the Budget estimate, the total appropriations were well within the estimates.

In the fiscal year which closed June 30 last we met all expenditures out of revenues and had a balance of nearly $300,000,000. We should unquestionably have been able to have shown a balance of income over expenditures at the close of the fiscal year which will end June 30 next, notwithstanding other items of war overhang, had it not been for the payment of $125,000,000 interest on war savings certificates above referred to. Eliminating that item, which should not be a charge against current revenues, we should unquestionably show a fine balance at the close of the fiscal year.

GENERAL LEGISLATION.

The work of the Congress has been so tremendous in volume, so important and so diversified in character, that even a brief detailed reference to all of it is impossible within the

limits of time at my command. I therefore must content myself with comparatively brief statements with regard to the more outstanding and important measures which have received consideration or have been crystallized into law.

THE BUDGET.

The hopes entertained by those who for many years labored for a budget system, of those on both sides of this Chamber who efficiently served in the enactment of budget legislation, has been abundantly justified by our experience under the Budget thus far. Not only has the Budget Bureau, under the efficient management of its first directors, in harmony with the views of the Chief Executive, asserted a most helpful and beneficial influence over the estimates presented to the Congress, but the directors, with the constant and unfailing support of the President, have exerted a mighty influence for economy over the departments and bureaus and independent establishments of the Government, resulting in the saving of many millions of dollars out of appropriations made before the Budget was established. The Congress, and particularly the House of Representatives, which, after all, is the final arbiter, trimmed the appropriations below even the reduced estimates of the Budget. To a considerable extent this was made possible by the cooperation of the executive departments and by reason of the reductions in the Naval Establishment made possible by the Conference on Limitation of Armament.

THE PEACE RESOLUTION.

The peace resolution declared the end of a state of war, the existence of which was proclaimed by the war declaration. It placed us in a position of official peace with Germany and Austria, and paved the way for the negotiations since entered into for the reestablishment of normal peace relations with our late enemies.

EMERGENCY TARIFF.

The act for an emergency tariff on agricultural products, which was promptly passed and later extended until the permanent tariff took effect, checked the threatened flooding of our markets at a time when the reaction from war prices had brought many of the agricultural products of the country to a price far below the cost of production.

The legislation had a continuous steadying effect, helpful to the producer and beneficial in its effect upon the general business of the country. Since the enactment of this legislation there has been a widely helpful upward trend in the prices, not only of the agricultural products directly affected by the legislation but of a variety of other farm products as well, affording the producer a fair return for his effort and outlay without appreciably affecting the prices paid by the consumer.

It may be truthfully said that this act, together with the loans made to agriculturists and stock raisers under the amended War Finance Corporation act, have been the salvation of the great basic industries of agriculture, and the benefits rendered them have been reflected in improved business conditions generally.

VETERANS' BUREAU ACT.

The act establishing a Veterans' Bureau and consolidating all of the agencies charged with care and responsibility on behalf of the ex-service men was the fulfillment of a national obligation to provide an organization which, so far as it was possible to do so, should cure the delays which had been complained of in meeting our obligations to our national defenders. The bureau is now functioning with increasing efficiency, and notwithstanding the enormous burden placed upon it, looking after the welfare of the more than 300,000 men who are under its care or have applied for its benefits, is continually reducing the cases and the causes of complaint among those whom it serves. Among the last acts of the Congress was a measure amending former acts so as to do full justice to the disabled veterans. The bureau will this calendar year pay to the veterans of the World War and expend for their benefit the stupendous sum of approximately $475,000,000.

HOSPITALS, VETERANS' BUREAU.

Continuing its policy of making every needed provision for the care and comfort of the sick and disabled veterans of the World War, Congress passed the act of April 20, 1922, which authorized appropriations in the sum of $17,000,000 in aiding the Director of the Veterans' Bureau to provide for the construction of additional facilities and to furnish medical, surgical, and hospital services and supplies for persons who served in the World War, Spanish-American War, the Philippine insurrection, and the Boxer rebellion. These funds are in addition to the $18,000,000 provided for similar purposes near the close of the Sixty-sixth Congress, and it is believed that with the sums now made available abundant hospital facilities will be provided for all of the veterans who may seek them.

THE FOREIGN DEBT REFUNDING ACT.

This Congress has had no more important question before it than that of providing for a commission to treat with our foreign debtors and to arrange with them as to the terms of payment of the principal and interest of the foreign debts, amounting to more than $11,000,000,000, which they owe us. Had the former administration proceeded in full conformity with the law, these obligations would have all been funded and time and terms of payment agreed upon, and nothing further would have been necessary. While the Secretaries of the Treasury of the Wilson administration may not have acted contrary to law, they certainly did not carry out the directions and provisions of the law in full, and, on the contrary, did enter into an agreement with our foreign debtors whereby all interest payments were delayed for a period of three years, and the only obligations taken were mere I O U's, with no definite stipulation as to conditions of payment.

In this state of affairs it became necessary to legislate a grant of authority for the handling of this tremendously important matter, involving not only the vast sum of more than $11,000,000,000 but affecting our relations with Armenia, Austria, Belgium, Cuba, Czechoslovakia, Esthonia, Finland, France, Great Britain, Greece, Hungary, Italy, Latvia, Liberia, Lithuania, Poland, Rumania, Russia, and Serbia, all of whom owe us sums ranging from a few thousand dollars to hundreds of millions of dollars.

THE BRITISH DEBT.

The legislation created a commission of five members, with the Secretary of the Treasury as chairman. Promptly after the enactment of the legislation the question of terms of settlement and refunding were taken up with certain foreign governments, and the British Government sent a commission of distinguished gentlemen to Washington to take up the negotiations. It soon became apparent that it would be practically impossible to negotiate a settlement under the limitations of the act creating the commission. After a careful consideration of all the questions involved a plan of settlement was tentatively agreed upon, which was approved by the President and presented by him to the Congress in person in a strong and forceful message on February 7, 1923. Two days thereafter the plan recommended by the commission and the President was approved by the House of Representatives. It later received the approval of the Senate and became a law on February 28, 1923.

This settlement of the British debt, on terms fair and reasonable from the standpoint of all concerned, is an occurrence of first importance. It has had and will have a steadying influence on the world's finances; it strengthens the good understanding between the English-speaking peoples, so important to the peace and welfare of the world, and marks the most important step toward the settlement of all of the debts growing out of the Great War.

THE AGRICULTURAL CREDITS ACT OF 1923.

The agricultural credits act of 1923, which was passed during the closing days of Congress, provides for the establishment of two distinct and separate classes of relief for the agricultural interests of the United States. One organization, to be known as "Federal intermediate credit banks," is to be established and operated under the supervision of the Federal Farm Loan Board. The law creating this system provides for 12 separate banks, each with $5,000,000 capital subscribed by the Secretary of the Treasury and paid for out of public funds. These banks are to be located one in each of the Federal land banks, and may be operated under the same management as are the Federal land banks. They are organized to make loans to cooperative marketing associations, associations to be formed by farmers, and are permitted to make advances to banks, cooperative banks, and so forth, making loans for agricultural purposes. These banks, under the supervision of the Federal Farm Loan Board, are authorized to issue and sell debentures when properly secured, as provided for under the law, to the investing public, which debentures are to carry tax-exemption privileges now accorded farm-loan bonds; but at no time can the rate of interest be in excess of 6 per cent per annum.

The second organization, to be known as "National Agricultural Credit Corporations," is created under this same act along lines similar to the law creating national banks. They are created and financed under this law by private initiative and capital. They are permitted to organize with a minimum

capital of $250,000; authority is given for the creation of a rediscount bank with a minimum capital of $1,000,000. These national agricultural credit corporations are permitted to subscribe up to 20 per cent of their capital to the stock of the rediscount banks; they are also permitted to issue acceptances or debentures, but these do not carry the tax-exemption privileges. They are to be under the supervision of the Comptroller of the Currency. There is also a provision in this law authorizing the Secretary of Agriculture to license appraisers. These appraisers will be used more particularly in connection with cattle loans.

The operation of this dual system, a part of which is financed by the Government and the other part by private capital, should, if properly managed, take care of the needs of agriculture to the fullest extent and will ultimately mean the gradual liquidation of the War Finance Corporation.

ACT FOR THE RETURN OF ALIEN PROPERTIES.

On October 16, 1917, Congress passed a trading with the enemy act making it unlawful, except upon certain conditions, to trade with an alien enemy or ally of such enemy. The office of the Alien Property Custodian was created with power to seize all property and money in the United States belonging to an enemy alien or ally of such.

Under this act and certain amendments thereto the Alien Property Custodian came into possession of property belonging to nonresident enemy aliens aggregating in value about $350,000,000, embraced in about 30,000 claims or trusts.

Before the United States entered into the World War many of our citizens had been killed by the German forces and many millions of dollars of American property had been destroyed, all in violation of the well-established principles of international law relative to the rights of neutrals.

Germany in the treaty of Versailles assumed the payment of claims based on such losses. We did not, however, become a signatory to that treaty, but the technical state of war between Germany and the United States was brought to an end by the peace resolution of July 2, 1921, in which it was declared that we reserved for our nationals any and all rights, and so forth, under the armistice, or to which they would have become rightfully entitled under the treaty of Versailles.

Section 5 of the resolution provided that the property which had come into possession of the Alien Property Custodian should be retained by this Government, except as provided by law, until the enemy governments had made suitable provision for the satisfaction of all claims against said governments on behalf of American citizens through the acts of enemy forces.

While under international law and the treaties and resolutions above referred to the United States would undoubtedly be justified in holding alien property for the satisfaction of American claims, such action is not contemplated, and it has been the purpose of our Government to return this property as soon as such action could be taken without jeopardizing a reasonably speedy adjustment and settlement of American claims. While, therefore, it is the purpose of our Government to return all of this property within a reasonable time, it did not seem wise or opportune to make an effort to return it all at this time. Such action might be misunderstood by the German members of the mixed commission now engaged in the settlement of claims and by both sides in the present controversy over the occupancy of the Ruhr.

On the other hand, our Government and Congress were anxious to relieve those of small means, the holding of whose property was a real hardship, and therefore the bill as reported provided that not more than $10,000 in value should be returned to any one person. It is estimated that the act making provision for such return will result in the transfer of about 90 per cent of the 30,000 trusts and will give the claimants in the neighborhood of $40,000,000, leaving approximately $300,000,000 in larger trusts to be returned later.

APPROPRIATION FOR THE INVESTIGATION AND PROSECUTION OF WAR FRAUDS.

The enormous operations of the Government during the war afforded abundant opportunity for fraud, and investigations made by the war investigating committees of the Sixty-sixth Congress made it very evident that many had taken advantage of the opportunities to defraud the Government, and that there had been much carelessness in the settlement of war claims. The investigation of these matters by the War Department and the Department of Justice, the auditing of accounts, and the examination of records has proven a slow and tedious proceeding, particularly in view of the fact that records were in many cases poorly kept and in some cases had been removed. While very excellent progress has been made, it became evident that increased appropriations were necessary if this work were to be carried on thoroughly and with promptness and dispatch. The Congress therefore provided an additional appropriation of $500,000 to be expended in the discretion of the Attorney General for the investigation and prosecution of war frauds. Under this appropriation the Attorney General's office has been proceeding with great vigor in the prosecution of war frauds and cases of an allied and similar character. Some of the best talent in the country has been engaged for this work, and investigations, inquiries, and prosecutions are proceeding vigorously.

UNITED STATES COAL COMMISSION.

For some months past the Nation has been passing through a trying situation growing out of the difficulties and differences attending wage adjustments. Happily these difficulties seem to be in the way of settlement, and in the coal-mining industries peace again reigns, and we are rapidly approaching a normal output. Unfortunately there are those who would take advantage of the people's needs in the condition growing out of the long period of nonproduction, and the Nation is confronted with the menace of conscienceless profiteering in the sale of coal.

In the address of the President delivered before a joint session of the two Houses of Congress on August 18, 1922, and in which he called to the attention of the Congress the industrial situation of the country, the President recommended, among other things, the creation of "a commission to make a searching investigation into the whole coal industry, with provision for its lawful activities and the bestowal of authority to reveal every phase of coal production, sale, and distribution." Such a commission, to consist of seven members and clothed with authority as suggested by the President, has been provided.

It is believed that the information which the commission secures and presents in its report will be most helpful and useful in the consideration of the many questions and problems which require study and solution in connection with the industry, in the interest of those engaged in it and of the general public, which has so lively an interest in the matter of fuel supply. After the commission had gotten well under way with its work it developed that the problems presented were even more complex and difficult than had been anticipated and that any intelligent and informing report would require the gathering of a wide variety and a large amount of information. With a view of enabling the commission to carry on and complete its work in the best possible manner an additional appropriation was made in the closing days of the Congress for that purpose.

ADDITIONAL UNITED STATES DISTRICT JUDGES.

Soon after taking office Attorney General Daugherty created a voluntary commission to inquire into the question of relieving the United States district courts of the congestion which was steadily increasing. This commission, after studying the situation, recommended authorization for the appointment of two district judges at large in each judicial circuit—18 in all. They were to be designated and assigned to districts from time to time to assist the resident judges in disposing of the arrears of business.

There has been but little difference of opinion as to the necessity for additional judges, but after careful consideration it was finally determined that the additional judges should be assigned to particular districts. The legislation as enacted provides for 24 additional district judges. It also provides for annual conferences, to be called by the Chief Justice, of the senior circuit judges of each judicial circuit, which conferences are to make a comprehensive survey of the condition of business in the courts of the United States and prepare plans for assignment and transfer of judges to or from circuits or districts as the condition of the public business before the courts may suggest and require.

Most of the new judges have been appointed and are at work, and, notwithstanding the great activity of the Department of Justice in the bringing of new cases, it is hoped and believed that the present congested condition of the court dockets of the country will be speedily relieved.

FEDERAL HIGHWAY ACTS.

The Federal highway act, which became a law November 9 as an amendment to the Federal aid act, carried out the President's recommendations with regard to needed and essential changes in the Federal road aid act, particularly with a view to centralizing authority in the States and insuring the upkeep of Federal aid roads. The act made an appropriation of $75,000,000 for Federal aid in road building for the fiscal year

ended June 30, 1922, and of $5,000,000 for forest roads and trails for the same fiscal year, and $10,000,000 for the same purposes for the fiscal year ending June 30, 1923. This was a measure of the highest importance. It provided much-needed amendments to the Federal road aid act and insured the continuance of Federal aid and participation in road building throughout the country.

On the 1st of May, 1922, the House passed a bill further amending the Federal highway act and authorizing highway appropriations in the sum of $65,000,000 for the fiscal year ending June 30, 1923; $75,000,000 for the fiscal year ending June 30, 1924; also authorizing appropriations for forest roads and trails in the sum of $6,500,000 for the fiscal year 1924. The Senate did not, however, consider this bill, but placed provisions for highway appropriations on the Post Office appropriation bill. For these provisions the House substituted its bill of May 1, and in conference appropriations for highways were authorized in the sum of $50,000,000 for the fiscal year ending June 30, 1923; $65,000,000 for 1924; and $75,000,000 for 1925; $6,500,000 was also authorized for forest roads and trails for each of the fiscal years 1924 and 1925. The Federal highway act was amended in several important particulars in the interest of economy and proper maintenance, and cooperation by the Federal Government was limited to $16,250 per mile, exclusive of bridges, for the year 1923 and $15,000 per mile thereafter.

THE STOCKMEN AND FARMERS' WAR FINANCE ACT.

The act amending the legislation creating the War Finance Corporation to provide relief for producers of and dealers in agricultural products has had a highly beneficial effect upon the industries which it directly aids and upon the entire country. It may be said without exaggeration that this legislation has been the salvation of the live-stock industry of the West. It has preserved from bankruptcy industries essential to the prosperity of the entire Nation. Under this act more than $300,000,000 has been advanced to the farmers, the stock growers, and the agricultural producers of the Nation on a sound business basis, as evidenced by the fact that more than $149,000,000 of the original loans have been repaid and that the corporation presents every evidence of soundness in its operation. The recent extension of this act assures the country of its benefits until permanent provision can be made for farm and live-stock credits under the new agricultural credits act, which will soon be in operation. The agricultural credit and rediscount cooperation provided for in this act will largely provide the credit facilities now afforded by the War Finance Corporation.

MATERNITY AND INFANCY ACT.

The Republican platform declared "the supreme duty of the Nation is the conservation of human resources through an enlightened measure of social and industrial justice." The President, having in mind this party declaration of national duty, in his message to Congress at the beginning of the session said:

> I assume that the maternity bill, already strongly approved, will be enacted promptly, thus adding to our manifestation of human interest.

There was considerable difference of opinion with regard to this measure in the Congress and in the country, both as to the policy it invoked and with regard to its provisions. The newly enfranchised women voters, so far as their views were expressed, were almost unanimously favorable to the measure. It appealed to the conscience and sympathy of all as a measure asserting national leadership for the purpose of stimulating the States and communities in the tremendously important work of the protection of maturity and infancy. The act provides for cooperation between the National Government and the several States and authorizes an appropriation of approximately $1,500,000 for the current fiscal year, which may be increased in the sum of $1,000,000 a year for five years.

The measure as reported by the committee and passed by the House differed quite materially from the bill as it passed the Senate, and the bill as thus amended was promptly adopted by the Senate. The enactment of this measure is not only creditable to the Congress as "adding to our manifestation of human interest," as stated by the President in his message, but as a prompt fulfillment of our platform pledges. Both parties in the last campaign made promises to the new voters, the better half of mankind newly invited into participation in government. Those promises have been kept, at least partially, and so far as they were definitely made in platforms and in presidential statements, by the passage of this act under which we encourage the States and cooperate with them in the highly important, splendid, and humanitarian work of the protection of maternity and infancy.

INDEPENDENT CITIZENSHIP FOR WOMEN.

For years there has been more or less agitation for the amendment of our laws relating to citizenship and naturalization with a view of authorizing the naturalization of alien women independent of the naturalization of their husbands and for the retention by American women of their citizenship, notwithstanding marriage to an alien, so long as she desires so to do and remains a resident of the United States. Since women were granted the franchise the demand for and the desirability of legislation of this character has increased, and one of the last acts of the session was the final adoption of legislation of this character. The act relating to the naturalization and citizenship of married women provides for the recognition of alien married women who desire and are qualified to become American citizens by permitting them to become naturalized without waiting for the naturalization of their husbands. It provides against the automatic loss of an American woman's citizenship by her marriage to an alien, and for the restoration to citizenship of such women who have heretofore lost their citizenship by such marriages.

IMMIGRATION RESTRICTION ACT.

The immigration restriction act provides in a practical and workable way for the staying of the great volume of the tide of immigration threatened as an after effect of the war. While America regrets to close her gates even partially against those who in good faith and with good intentions seek our shores, this measure was necessary as a means of preventing a flood tide of immigration, not all of a desirable character and beyond our capacity to speedily assimilate.

The gates of free America have always swung open for the oppressed of all lands, for those seeking to better their conditions, and we desire to keep them open, provided, however, that we shall not allow this flood to come more rapidly than we can assimilate the newcomers to the ideas and ideals of true Americanism, the principles of liberty under laws. For the time being we have restricted the coming immigrants, welcoming as many as we believe to be safe for America, and we stand ready again to widen the door of opportunity when we may be able thoroughly to Americanize a larger number of well-intentioned people who may seek a home among us.

It was inevitable that there should be difficulty in the administration of the new law and that, with large numbers of European peoples anxious to come to America, great pressure would be exerted to exceed the quotas of certain countries and much heartburning and hardship result. All of this is regrettable. An earnest effort was made to afford at least a measure of relief to those most anxious to cast their lot with our people. But it was found difficult to reconcile wide differences of opinion and impossible to greatly relieve the situation without largely abandoning the policy of restriction which had been adopted. It is to be hoped that in the no-distant future conditions at home and abroad may justify the liberalizing of the present immigration laws to a reasonable extent.

RECOGNITION OF AGRICULTURE IN FEDERAL RESERVE ACT.

The Federal reserve act provides that the President, in making appointment of members of the Federal Reserve Board, shall have due regard to a fair representation of the financial, industrial, and commercial interests of the country. Inasmuch as agriculture is the basic industry of the country, failure to recognize this as one of the industries entitled to representation on the board seemed an extraordinary oversight. The act approved June 3, 1922, remedies this situation by providing that in the appointment of members of the Federal Reserve Board the "President shall have due regard to a fair representation of the financial, agricultural, industrial, and commercial" interests of the country. The act also increases the appointive membership of the board to six, and otherwise amends the Federal reserve act.

THE PACKERS ACT.

The so-called packers act, to regulate interstate and foreign commerce in live stock and dairy products, poultry, and eggs, is a wise, sound, and sensible measure. The enactment of this legislation was a distinct triumph, one of the most notable achievements of the Congress, for it gave the country the benefit of sound legislation affecting the meat-packing and allied and associated industries and activities after previous Congresses had struggled in vain with these questions, largely because of the radical, experimental character of the legislation that had been urged. Notwithstanding the fact that the legislation as enacted was severely criticized by those who had been vainly seeking radical legislation, it has worked so well and been so highly beneficial that it has compelled the indorsement of those who were at one time its severest critics.

ANTIGAMBLING IN GRAIN FUTURES ACT.

The bill for regulating transactions in grain for future delivery, which became a law August 21, 1921, was held unconstitutional by the Supreme Court of the United States on the 15th of May, 1922, as to section 4, the court holding against the provision for the regulation of exchanges by taxation. On June 1 of this year a bill was introduced with a view of meeting the objections of the Supreme Court and yet so regulating the transactions of grain exchanges as to eliminate purely speculative and gambling operations. This bill was taken up by the House and passed on June 26. The legislation as to some of its features, at least, has been vigorously opposed, but it is believed that its enactment, while making possible all legitimate transactions, will prevent those gambling operations which frequently disastrously affect the prices of grain and foodstuffs.

ASSOCIATION OF PRODUCERS OF AGRICULTURAL PRODUCTS.

This measure is intended to authorize producers of agricultural products to form associations for the purpose of collectively preparing and marketing their products. Associations for this purpose have become very common in many of the States, but the States can not confer any right upon their organizations to engage in interstate or foreign commerce. While this measure confers on farmers certain privileges it can not properly be said to be class legislation. Business corporations have under existing legislation all the powers and privileges conferred on farm organizations by this legislation. The organizations authorized are under the supervision of the Secretary of Agriculture, and it is believed that through the operations of organizations of this kind it may be possible to eliminate unnecessary middlemen, to improve conditions of marketing, and, while assuring the producer a reasonable price, protect the consumer against the high prices which he has frequently paid for products for which the producer received little.

IRRIGATION DISTRICTS—FARM LOANS ON RECLAMATION PROJECTS.

We have long needed a Federal law providing for the organization of irrigation districts on projects under the national reclamation law, in order to make it possible for the Federal authorities to deal with the settlers and water users collectively instead of individually. This is now made possible by the act of May 15, 1922. This act also provides for the conditions under which farm loans can be made on lands on reclamation projects, thus meeting a long-felt want on the part of settlers on such projects.

EXTENDING THE TIME OF PAYMENTS OF CHARGES DUE ON RECLAMATION PROJECTS.

The Federal Government has been engaged approximately 20 years in the work of the reclamation of arid lands. In this period considerably more than $100,000,000 have been expended. A very considerable sum has been repaid. The works erected are many of them of monumental character and among the finest engineering accomplishments of man. In the main the settlers under these projects have been prosperous and successful, but a series of years of low prices and high freight rates have created a condition under which many of the settlers find it temporarily impossible to meet their payments. With a view of remedying this condition an act extending the time of certain payments under carefully guarded conditions was enacted.

It is realized by all that the time has now arrived when there should be a general study of conditions on the reclamation projects and a readjustment of payments in the light of present conditions in a manner to enable the industrious and well-meaning settler to meet his obligations at all times and to place these enterprises on a basis of permanent prosperity. Such provisions should be made in the near future, the legislation above referred to being merely temporary in its relief.

THE ANTINARCOTICS ACT.

It has become increasingly evident that drastic legislation is essential to the control of the growing evil of the use of narcotics. The act providing for a Federal Narcotic Control Board, making it unlawful to import narcotics, except such as are necessary for medicinal and other legitimate purposes, fixing heavy penalties for violation of the provisions of the act, will, it is believed, have a helpful and beneficial effect in reducing the importation and use of narcotics.

LIMITING THE PRODUCTION OF HABIT-FORMING NARCOTIC DRUGS.

The good people of the world have been shocked and greatly agitated over the great increase, or at least the apparent great increase, in the use of habit-forming drugs. It is realized by all who have made a study of this important subject that it is not only the duty of all civilized peoples to use every possible means to reduce the use of such drugs but that it is absolutely essential to the existence of civilization to have this menace checked in its threatening spread and growth. With this end in view it is proposed to strike at the root of the evil by limiting the production of these habit-forming drugs and the plants from which they are made, and the resolution in question provides for international action limiting such production. Much is hoped for out of the movement thus inaugurated toward ridding the world of this evil.

THE NAVAL SCRAPPING ACT.

The entire world has sung the praises of the great accomplishment of the Conference on the Limitation of Armaments in putting an end to the mad rush of competitive naval expansion and construction. Its effect is reflected in the reduction of the personnel of our Navy and a decrease of one hundred and twenty-five millions in naval appropriations. The so-called naval scrapping bill gave legislative effect to the provisions of the treaty on the limitation of naval armament. It authorized the President to take the steps necessary to make the terms of the treaty effective by scrapping a portion of the ships now under construction, which are not to be completed, and authorized the conversion of two of them into great airplane carriers.

The nations which joined in the Conference on the Limitation of Armaments have all ratified or taken steps looking to the ratification of the treaties signed at the conference, and the world has accepted the theory of limitation. Quite recently an appropriation was made for the purpose of completing the scrapping and conversion program, and the naval appropriation bill for the fiscal year 1924 still further reflects the economies made possible by the Conference on the Limitation of Armaments.

READJUSTMENT OF PAY—ARMY, NAVY, ETC.

Temporary increases in pay which had been granted to certain men of the Army, Navy, and Marine Corps expired July 1, 1922. It therefore became necessary to make some provision to meet this situation, and the act of June 10, 1922, readjusted the pay and allowances of the commissioned and enlisted personnel of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service. These readjustments were in accordance with the report made by a joint commission of the two Houses, the Members of which gave careful and painstaking consideration to the involved and confusing provisions of law relative to the pay of these establishments and recommended a measure which is believed to be fair and equitable and which reduces somewhat the aggregate pay of the services.

EMPLOYEES IN PATENT OFFICE—INCREASED PAY.

The act of February 18, 1922, provided needed and essential amendments to the patent laws. It provided for a reclassification and granted a substantial increase in the pay of the employees of the office. This legislation was urged with very great vigor by the patent attorneys of the country and others familiar with the situation, and has cured a condition with regard to which there was much complaint.

MONTHLY PAYMENTS OF PENSIONS.

Civil War pensioners have for some time petitioned the Congress that their pensions be paid monthly instead of quarterly and Congress has responded by making provisions to that effect. This increase in the frequency of payment is very much appreciated, particularly by those pensioners who have little or no means other than their pensions. The change has resulted in a considerably increased cost, but this is justified in view of the benefits conferred on the pensioners.

AID FOR STARVING RUSSIA.

The country responded enthusiastically to the action of the Congress in making an appropriation of $20,000,000 out of the funds of the United States Grain Corporation to purchase corn, seed grain, and preserved milk for the relief of the starving people of Russia. In the administration of this law the Secretary of Commerce secured the cooperation of the authorities in Russia by a very substantial supplemental contribution and in the furnishing of transportation, so that the American relief was even vastly more effective and helpful than it otherwise would have been. This contribution undoubtedly saved the lives of great numbers of people, stayed the spread of pestilence, and aided in the restoration of vast areas, particularly in the Volga Valley.

Congress by the act of January 20, 1922, also authorized the President to transfer medical and hospital supplies from the War Department for the relief of the distressed people of Russia.

THE ANTIBEER ACT.

The so-called Volstead antibeer bill became necessary as a result of an eleventh-hour decision by Attorney General Palmer the day before the close of the Wilson administration. While there has been much sharp difference of opinion with regard to the provisions of the measure, it is believed that the bill is a fair compromise, maintaining the national faith in the enforcement of the prohibition act, while guarding against the possibilities of abuses of power and authority.

FUNDS FOR FARM LOAN BOARD.

The bill making provision for an additional Treasury deposit of $25,000,000 for the Farm Loan Board makes available for that important farm loan agency a total working capital of $50,000,000, and places the Farm Loan Board and banks for the first time since their organization in position to function continuously in the making of loans to the farmers of the Nation. The operations of the farm-loan banks will be greatly enlarged and extended under the new rural credits act of 1923. In the field of farm or real estate loans, in which the banks are now exclusively operating, the new act affords them additional facilities and greater freedom of operation and will enlarge their field by the increase of the maximum loan from $10,000 to $25,000.

FACILITATING EXPORTS.

The amendment to the Edge bill, providing for the promotion of export trade by facilitating the organization of corporations, was intended to and has very greatly aided, assisted, and facilitated the organization and the operation of those useful agencies.

TELEPHONE ACT.

The bill providing for a much-needed consolidation of independent telephone companies rendered possible the reorganization whereby the losses through unwise duplication have been eliminated or greatly reduced, under which more satisfactory systems and more favorable rates should be secured.

CABLE ACT.

The bill under which the President is authorized to provide for the orderly and controlled landing of submarine cables remedied a situation which had greatly embarrassed the former administration and established a policy under which proper national control of these important agencies of communication is established.

COLORADO RIVER BILL.

The bill providing for an agreement among the Western States for the disposition and apportionment of the waters of the Colorado River is an important measure, marking a new and beneficial policy in the settlement of the vexed questions arising out of the use of the waters of interstate streams for the purpose of irrigation. The famous Kansas-Colorado case is the most important of the suits that have been before the courts testing the question of the relative rights of the various States in the arid region where irrigation is practiced to the waters of an interstate stream. It is much better, where it is possible, to have an adjustment and settlement of these questions in advance of the appropriation and use of the waters than to wait until rival claims have been established and then settle the vexed questions, frequently at great loss to those who have expended money in irrigation enterprises.

AMENDMENT OF WAR MINERALS RELIEF ACT.

The act for the relief of those who had responded to the call of the Government departments for the production of war minerals and who were subject to losses by the sudden termination of the war was so narrowly construed by the commission authorized to adjudicate claims under it that it became necessary to broaden somewhat the provisions of the act, or, rather, to enact in more definite language what was the intention of Congress in the first instance. The passage of this act will relieve many worthy claimants of small means who responded patriotically to the request of the Government for the production of war minerals.

APPROPRIATIONS TO MEET CROP FAILURES IN THE NORTHWEST.

The act of March 20, 1922, made an appropriation of $1,500,000 for the purpose of purchasing seed grain to be supplied to the farmers in certain areas of the Northwest where there had been successive crop failures and where the new settlers were likely to be compelled to leave their homes unless given some aid. There was a limit of $300 on the loan that might be made to any one farmer under this act. This appropriation has unquestionably been of very great benefit and will undoubtedly prevent what would have been a quite general temporary abandonment of considerable regions in the Northwest.

AUSTRIAN RELIEF.

By the act of April 6, 1922, the Secretary of the Treasury is authorized to extend for a period not to exceed 25 years the time of payment of the principal and interest of the debt incurred by Austria for the purchase of flour from the United States Grain Corporation.

HOMESTEAD RIGHTS FOR EX-SERVICE MEN.

The act of April 7, 1922, provided that veterans of the World War who, because of physical disabilities due to service, were unable to return to their homesteads might make final proof without further residence or improvements and receive a patent for their land.

Public Resolution 36 grants preferred rights of homestead entry for 90 days to ex-service men in case of the opening of lands, which can only be defeated by valid prior settlement rights, and the act of April 6, 1922, provides that the time during which an honorably discharged soldier of the World War shall be receiving treatment for injuries received or disabilities incurred in the line of duty shall be deducted from the time of residence required on a homestead.

ECONOMY IN PUBLIC PRINTING.

Public Resolution 57, which became a law on May 11, 1922, ended waste in Federal printing and fixed the status of desirable Government publications, saving millions of dollars annually.

ACT PROVIDING FOR INTERCHANGEABLE MILEAGE BOOKS.

There has long been a demand for interchangeable mileage books, and an act making provision for such a book passed the Senate in January. The act as amended in the House provides for interchangeable mileage or scrip coupon tickets good for passenger carriage upon the passenger trains on roads subject to the interstate commerce act.

OTHER MEASURES OF IMPORTANCE.

Among other measures of interest and importance that were considered by the Congress and enacted into law may be mentioned the following:

The United States cotton standards act.

The butter standard act.

The American Battle Monuments Commission, providing for a commission to erect memorials commemorating the services of American soldiers in Europe.

The resolution relative to the establishment of a national military park at Yorktown, Va.

BILLS WHICH HAVE PASSED THE HOUSE.

In addition to the bills which have become laws the House has passed 144 bills. It would be impossible in the course of a speech of any reasonable length to even give the titles of all of these measures. Many of them are measures of great importance and their preparation and consideration involved an earnest and faithful effort on the part of the House and its committees. I shall refer only to a few of them by title:

The shipping bill.

The antilynching bill.

The railroad refunding bill.

The blue-sky securities bill.

Bill to prevent corrupt trade practices.

Bill for the revision and codification of the Federal statutes.

Bill regulating radio communication.

Bill providing for standard measures for fruits and vegetables.

Bill to prevent the manufacture of adulterated and misbranded food and drugs.

Bill for the improvement of the foreign service.

Bill for appraisal of tribal property of Indians.

Bill for the incorporation of the Grand Army of the Republic.

Bill to incorporate disabled American veterans of the World War.

Bill excluding from the mails fraudulent devices.

Bill providing regulations for promoting the welfare of American seamen in merchant marine on vessels on the Great Lakes.

Bill relating to compensation for injuries or death of Federal employees in the District of Columbia.

Bill for the relief of certain officers of the United States Army.

Naval omnibus bill.

Bill to establish standard of weights and measures for wheat-mill and corn-mill products.

Joint resolution proposing an amendment to the Constitution of the United States relative to tax-free securities.

SENATE FILIBUSTERS.

I desire to keep within the proper limits of debate in discussing the failure of the Senate to pass upon tremendously important legislation which has been considered by the House. This failure arises, as everyone knows, out of the fact that a majority of the Senate can not bring debate to an end and compel a vote on pending legislation.

It ought to be in order to discuss in debate in the House a rule of the Senate which prevents legislation, or rather the lack of a rule in the Senate which would allow the majority to enact legislation, and that is particularly so in view of the fact that in the closing days of the Congress the habit of filibuster in that body developed into a filibuster against the House, because it had not enacted a certain bill sent over from the Senate—a bill local in its operation and exceedingly questionable in its character, proposing to put Uncle Sam in the business of a retailer of certain kinds of fertilizer. The extraordinary character of that filibuster is evidenced by the impressive list of highly important legislation passed by the House which had received no consideration by the Senate or, having been considered, was not allowed to come to a vote.

EFFECT ON GENERAL LEGISLATION OF LACK OF A SENATE CLOTURE.

It ought to be in order in the House to discuss rules or lack of rules in the Senate under which a minority, and frequently a small minority, of the Senate can prevent action on highly important legislation which the House has considered. It would not be proper to indulge in criticism on the judgment expressed by the Senate touching legislation, originating in either the House or the Senate. But it is quite a different matter when the rules of one of the branches of a legislative body, or the lack of rule, prevents consideration and final judgment by one body of the legislation originating in the other.

The Senate filibuster of this short session was made against the shipping bill. No Member of the House of Representatives would be justified in criticizing in the House any action the Senate might take on that highly important measure, but it is quite another matter when the rules of the Senate allow a minority to prevent the expression of an opinion by a vote, and that is particularly true in view of the fact that the filibuster against the shipping bill prevented consideration by the Senate of many important measures passed by the House, a partial list of which I have just given.

There was an abundance of time for the consideration of all of these measures, for but little time is consumed in the Senate on the appropriation bills, the consideration of which consumes a large portion of the time of the House, and yet these measures, with the exception of the shipping bill, were never called up for consideration. There was no opportunity in the face of a persistent filibuster against the shipping bill. Furthermore, if I am not trespassing on forbidden ground, may I call attention to the fact that a condition of chronic filibuster in the Senate renders it exceedingly difficult, if not entirely impossible, to give proper consideration in that body to many measures, which thus reach the House from the Senate in very different form than they would be likely to present had the Senate, free from the presence of a filibuster, had abundant opportunity for their consideration.

MEASURES WHICH DID NOT SECURE FINAL ACTION.

CONSTITUTIONAL AMENDMENT—NORRIS RESOLUTION.

There was considerable criticism voiced in certain quarters because a joint resolution proposing an amendment to the Constitution of the United States fixing the commencement of the terms of the President, the Vice President, and Members of Congress, and fixing the time of the assembling of Congress, sometimes referred to as the Norris resolution, was not approved by the House of Representatives, and in view of the importance of the questions involved it is perhaps proper that some reference should be made to this matter.

When the resolution in question was introduced in the Senate it was not referred to the Committee on the Judiciary, which has jurisdiction of such matters in the Senate, but to the Committee on Agriculture. This is a highly important committee of distinguished Senators, but just why it should be given charge of constitutional amendments I have never learned.

On February 12 Senator NORRIS called the resolution up. There was some little discussion, claims being asserted on behalf of several Senators for the paternity of the proposal to amend the Constitution along the lines suggested. On the following day there was a few moments' further discussion, after which the resolution, in an amended form, was adopted. The resolution reached the House of Representatives on February 14 and was referred to the Committee on Election of President, Vice President, and Representatives in Congress. There remained only about two weeks before the close of the session, with the calendars of the House crowded with much important pending legislation.

Almost immediately after the resolution was adopted by the Senate it was discovered that the proposed constitutional amendment, if adopted, would give the country two sets of Representatives and Senators from the first Monday in January to the 4th of March and two Presidents and Vice Presidents from the third Monday in January to the 4th of March of the year in which it went into effect. These defects were considered by the House committee to which the resolution was referred, and on the 22d of February the chairman of the House committee placed in the basket what purported to be a report of the committee proposing an amendment to the Constitution treating of the same subject matter, but in entirely different form.

This new form evidenced the fear of its proponents that the period between the general elections and the proposed new date for the beginning of a Congress and of the terms of the President and Vice President was too brief, by providing in section 3 a new and novel provision for the presidential succession in case the question of such succession as now provided for by the Constitution had not been settled on the date fixed in the new constitutional amendment.

Mr. BULWINKLE, of North Carolina, a member of the committee which had the resolution before it, filed his views as a member of the committee, declaring that at the time the so-called report was ordered but 5 members of the committee of 13 were present in the room and only 5 members voted, and that therefore the committee had not, as a matter of fact, reported the resolution. Mr. BULWINKLE further called attention to a number of important questions to be considered in connection with any proposed change of the Constitution affecting the terms of the President and Vice President and Members of Congress; to the importance of these questions and the fact that the committee had not given full consideration to them.

The House did not consider the resolution for a variety of reasons. First, it could not have been considered under the rules of the House, because it was not regularly reported out of the committee; second, very few Members of the House believed it advisable to attempt to consider so important a matter so late in the session when so little consideration had been or could be given to it; and third, the condition of the business of the House was such that several of the important measures which became laws the last two days of the session would have been jeopardized, if not defeated, if time had been given for the consideration of this resolution.

ACTION TO LENGTHEN SESSION ESSENTIAL.

Beyond all question it is highly important that the Congress at the very earliest opportunity take such action as may be necessary to lengthen the present so-called short session. That session, beginning the first Monday in December and ending on the 4th of March, is altogether too brief a period for the consideration of the very great volume and variety of business which in these latter days comes before the Congress. In making this proposed change it will probably be best to have the newly elected Congress begin its sessions as soon as may be wisely and safely provided after the elections and to propose such constitutional amendment as will fit such a program. If, however, the term of the new Congress is to begin in the early part of January, it would seem necessary, or at least wise, to advance the date of the general elections.

In this connection it would also be well to give consideration to the question of changing the fiscal year for which appropriations are made to correspond with the calendar year. The very many advantages of such a change will be apparent to anyone familiar with Government business and expenditures. The ending and beginning of appropriations in midsummer presents a most serious and trying problem to most of the Government departments and results in inevitable loss and confusion in organization and expenditure in many lines of public activity.

MUSCLE SHOALS.

Our friends on the Democratic side of the Chamber took occasion from time to time to indulge in severe criticism of the Republican majority because of failure to consider in the

House the proposed legislation dealing with the Government property and enterprise in the vicinity of Muscle Shoals, and particularly what is known as the Henry Ford offer relative to that project. The matter was not considered in the House for a variety of reasons, any one of which was sufficient to justify the failure to give time for the consideration of the questions involved. The first and most important reason why the measure was not brought up for consideration related to the question of time. The House was in almost continuous session from the beginning of the special session, which began November 20, until the 4th of March, and the essential business before the Congress was disposed of with energy and dispatch. It is true that brief filibusters occurring from time to time, largely through action of those claiming to be friendly to Mr. Ford's Muscle Shoals offer, consumed enough time to have given a day or more to the consideration of this question, but otherwise there was not a day that could have been spared without jeopardizing important measures, several of which became a law in the closing hours of the Congress. Second, it was generally admitted that under no circumstances could the fate of Muscle Shoals and the plants and enterprises embraced under that term be settled in the present Congress. If the House could have composed its widely differing views, there was no possibility of action by the Senate, and therefore the discussion would have been largely academic. The only possible purpose it could have served would have been to clarify the situation or further becloud and confuse it, as the case might be. Third, under appropriations and authorizations amounting to nearly $25,000,000 for construction work on the so-called Wilson Dam and appurtenances, the expenditure of which out of Government funds was contemplated in the Ford offer, the enterprise is being carried forward as rapidly as could be done under any circumstances, and therefore however this plant may be eventually utilized no time is being lost because the Ford offer had not been considered.

Near the close of the second session I stated that I hoped that before the Congress expired we should have an opportunity to discuss Mr. Ford's offer touching Muscle Shoals, and I regret that there was not sufficient time which might have been utilized for that purpose during the short session without interfering with or jeopardizing other important legislation. While I am very confident that we could not have settled the question, I think we might have clarified the situation, and it might have been possible to have silenced some of the ceaseless din of apparently willful misstatement with regard to the character of the Ford offer and what might be hoped for or expected under it, which has been kept going by certain individuals and organizations.

In view of the fact, however, that the chorus of misstatement and of false propaganda with regard to the Ford offer has continued and has even been echoed in Congress, notwithstanding repeated proof of the utter lack of sound basis for the statements made, I am not sure that anything that may be said or done can put an end to this continuous clamor of error; perhaps time only can cure it.

THE FORD OFFER NO GUARANTY.

Mr. Ford offers to pay the Government $5,000,000 for property which cost the Government over $100,000,000, including the Gorgas steam plant, in no wise an essential part of the Muscle Shoals property, on which the Alabama Power Co. has a claim, and for which that company agrees to pay $2,500,000. Under Mr. Ford's offer the Government must complete the Wilson Dam at a cost of $25,000,000 and Mr. Ford demands use and control of the dam for 100 years on the payment of 4 per cent interest on the additional sums we shall put into it. Under the water power act no other applicant secures water power for more than 50 years.

The clamor on behalf of the Ford offer is predicated almost wholly on the entirely groundless assertion that if the Ford offer is accepted Mr. Ford will furnish the farmers of the country with cheap fertilizer. It is amazing how persistently these misstatements are reiterated nothwithstanding the fact that a reading of the Ford offer makes it very clear that Mr. Ford makes no pledge or promise of cheap fertilizer. Mr. Ford offers to utilize a part of the plant for the manufacture of fertilizer providing he can make 8 per cent on his investment. It is not necessary for the Government to give away $100,000,000 worth of property in order to get people to engage in business on an 8 per cent return.

The fact is that if the Ford offer were made by any one but Henry Ford it would be smothered in ridicule. The only possible explanation for the attitude of certain gentlemen favorable to the Ford offer is that they are exceedingly anxious to have a great industrial center established in the section in which Muscle Shoals is located, and they are perfectly willing to have the Government make a contribution of $100,000,000 and grant a 100-year lease on ridiculously favorable terms to the lessee on one of the greatest water-power plants of the country in order to establish and build up such a great industrial center. They must know that the Ford offer is absurd in its proposed transfer of great properties and great opportunities without reasonable return or any proper safeguarding of the public interest. The claim that the farmer would be assured of cheap fertilizer has no basis whatever in the Ford offer.

The Committee on Military Affairs, which considered this matter, has 21 members, and not to exceed 2 members of that committee seem to be disposed to accept the Ford offer without amendment. The bill reported by a majority of the committee modified the Ford offer by the elimination of the Gorgas plant, and in a letter dated May 31, 1922, Mr. Ford stated that he could not consent to the elimination of this plant and that if it were eliminated he would understand that his offer was refused.

The Government has a great investment in and around Muscle Shoals, which must be safeguarded in the interest of all the people. A part, at least, of the power generated there should be held available for the manufacture of nitrates in case of war. It may be that the Government will not be able to realize any considerable sum on its war investment, but there should be no difficulty in securing adequate returns for the power when developed, and if the Government is to make a liberal agreement that liberal agreement should be reflected in a definite pledge and contract to serve the public interest, including the manufacture and sale of fertilizers at a low cost. Mr. Ford made no such pledge.

DISTRICT OF COLUMBIA LEGISLATION.

The present legislative plan under which the Congress is the board of aldermen for the District of Columbia is not a satisfactory one, but in the midst of conflicting opinion on the subject I shall content myself with a brief reference to the situation, without suggesting a cure.

The District of Columbia, in common with the entire country, suffers from the short session, and therefore has as great an interest as any part of the country in the making of wise and well-considered provision for a change in the sessions of the Congress. In the present session it was necessary to first pass the appropriation bills and then to enact the legislation of a public character for which there was a nation-wide demand, and the legislation without which a special session of the Congress would have been likely, if not essential.

The work of the House proceeded with diligence; nevertheless quite a number of important public measures, among which may be mentioned the legislation for the completion of the taking over of the Cape Cod Canal; legislation for a Federal reformatory for first offenders, proposing Camp Grant, Ill., as a site for such an institution; the legislation for a reformatory for female Federal prisoners at Mount Weather, Va.; the immigration bill; and other measures, were not reached for consideration.

THE DISTRICT BILLS WHICH FAILED.

In this condition of congestion several more or less important proposals of legislation affecting the District of Columbia failed to secure consideration, among which were the following:

The insurance bill.

The street railway consolidation bill.

The gasoline tax bill.

The school-teachers' pay bill.

I do not pretend to say that all of these proposals should have been enacted into law, but if time had sufficed they were entitled to consideration. The only one of these bills with regard to which there was any general public agitation was the teachers' pay bill, and one time and another those who were insistent upon the immediate consideration of this bill caused enough time to be lost through roll calls to have sufficed for the consideration of all the District legislation. The arguments and efforts that were made on behalf of this pay bill illustrate the need of some body, voluntary or otherwise, composed of or representing the people of the District as a whole, to pass upon legislation. Many of those who were urging the legislation had no clear idea what the bill provided. While there was much opposition in the Congress and in Washington to certain provisions of the bill, this opposition was curiously lacking in a medium to advertise its views. Perhaps the fact that

the Federal Government pays a large proportion of the expenses of the District has something to do with the very apparent fact that large proposed expenditures are not carefully scrutinized by the body of the citizens. The bill in question provided, among other things, for a very considerable expenditure for community center activities which have no essential relation to the work of the schools. The fact that the measure entailed an additional immediate expenditure of several hundred thousand dollars and an eventual additional annual expenditure of approximately $1,000,000 does not seem to have received very much consideration. Undoubtedly there should be a carefully considered readjustment of the pay of the educational forces of the District, but very liberal provision could be made with much less expenditure than is proposed in the bill that failed.

A RECORD TO BE PROUD OF.

No one can question the importance of the problems which have been considered by the Congress now closing, no one can gainsay the diligence, the industry with which the Congress, particularly the House of Representatives, has addressed itself to the consideration and the settlement of these problems. They have not all been settled, it is true. That could not have been expected, but a splendid and important work has been well performed, and the Members of this House can return to their homes quite certain that the record which the House has made is one that should satisfy any reasonable constituency.

We have just been passing through a period of trying financial stress with its inevitable conditions of radical agitation and unrest. When conditions are desperate even ordinarily sane and conservative men approve novel and extraordinary measures. Fortunately we have come through that period with little in the way of legislation that will not stand the test of time, with much that will be permanently helpful. We have, in the main, practiced economy. Our legislative provisions will, I believe, prove sound and helpful.

SOME PERSONAL REFLECTIONS.

Turning now from the work of the Congress, I am tempted to submit some observations relative to membership and service here. At the close of this Congress I shall have served my constituents as a Member of the Congress 13 terms, or 26 years, and 28 years shall have elapsed since I first visited this Chamber as a Member elect. Twenty-eight years is a brief period in the tides of time, but it is a long period in the life of a man and a considerable period in the life of a nation when important history is in the making. My service here has been under six Presidents—Cleveland, McKinley, Roosevelt, Taft, Wilson, and Harding; and under five Speakers—Reed, Henderson, Cannon, Clark, and Gillett. During the period since my service began we have fought two foreign wars; we have extended our boundaries and our jurisdiction from the continent of America to the islands of the eastern and western seas and to the farthest Orient; we have united the two great oceans at Panama. We have during this period, through the force of our moral influence and without intent or purpose on our part, passed from the condition of an isolated and somewhat unimportant western power to a position of acknowledged supremacy in potential power and in high moral influence.

At home, measuring our activities by expenditures, we have progressed from an annual outlay of half a billion to the expenditure in a period of war and stress of thirty-three billions in a twelvemonth, and to a present annual outlay of nearly four billions. In my first session of Congress we discussed with apprehension of unjustifiable extravagance a naval expenditure of less than $30,000,000, the beginning of an effort to revive our Navy from the moribund condition into which it fell following the Civil War. To-day our naval policy contemplates a fleet equal to any afloat. In those days a river and harbor appropriation approximating $15,000,000 was considered a wild extravagance, as compared with the $56,500,000 of the present year.

The present annual Federal expenditure of seventy to eighty millions for public roads was undreamed of. Some years were to pass before we undertook the reclamation of our arid lands through Federal agencies. Rural free delivery had not even entered upon the period of academic discussion. Federal land banks were unthought of except in the minds of a few students of foreign agricultural credits. Women voted in general elections nowhere in the Union save in my State of Wyoming, and the eighteenth amendment had not been thought of.

If time permitted, I should be tempted to talk of the great historical events that have occurred during this period, and to some of which I have referred, to the very great changes that the period has witnessed at home and abroad, to the marvelous growth of our country, to the striking modification of viewpoint and of action as evidenced in changes in the organic and statute laws and in undertakings of administration, but all of that I shall reserve for another time and place, and the time that the House has been good enough to allot me I shall utilize rather in the discussion of the Congress, my impressions of service here and of the character and qualities of the men with whom I have been associated.

THE CONGRESS.

I can not close a service of more than a quarter of a century in this House without an expression of my high appreciation of the honor and dignity of service here, and of the splendid character of the men whom American constituencies have sent to represent them on this floor during my term of service.

I am leaving this body voluntarily and under no circumstances shall I return to it. I can not imagine any conditions under which I should ever ask a favor or a special privilege of the House; therefore I feel that no one can or will suggest that in what I say I can have any other motive than to express my views in a spirit of sincerity, actuated by no purpose other than that of placing on record my impressions of the Congress and its work through a long period of years, in the hope that a statement of these impressions may be of some value to those who have been my colleagues and to those who may come hereafter.

I think it must be recognized that legislative bodies in a free country with an unbridled press must and always will be the subject of much criticism, and that while they may from time to time be temporarily popular or, more frequently perhaps, locally popular by reason of the approval of some act of legislation, in the main and by and large and in the running of the years the public attitude, including that of a certain portion of the press, may be expected to be one of criticism, varying all the way from that of the dilettante who finds nothing quite as it should be in the conduct of public affairs, to those who for any one of a variety of reasons find it pleasing or profitable to be unfairly critical and abusive.

Do all that you may in the effort to serve the public interests, and the larger the product of your efforts the more diversified and general the criticism is likely to be because of the increased points and objects of criticism. Do all you may and all you can, even in continuous sessions, there are always requests, urgings, and demands which, unmet, fill the air with criticism and reproach. In the presence of disappointments, large and small, over matters important and unimportant, the things done and accomplished, regardless of their volume or their importance, are likely to be overlooked, forgotten, and swallowed up in the chorus of the disappointed and unsatisfied. Gratitude, which is said to be based on a lively sense of favors to come, can scarcely be expected to be widely felt toward those from whose hands and out of whose acts an increasing number of people unhappily base their expectation of aid, assistance, opportunity, and prosperity.

I think this much should be said as the background for quite a different view of the Congress and of legislative bodies in America generally which I hold and which I shall briefly express. May I venture to remind those present that my experience in the House has not only covered a very considerable period of time, but that it has been for that time rather unusually continuous? In more than a quarter of a century of service I have been out of the city of Washington and away from the Capitol less than a week of working days when the Congress was in session and legislating; and whatever may be the judgment of those who have served here as to the value of my service or the amount of my influence, I have during all my service here, I think I may venture to say, been active in the work of the House and fairly well acquainted with a wide range of its activities.

Out of this experience I desire to pay a tribute to this House, to its membership, those now here and those who have served here during the term of my service and on both sides of the aisle, a tribute of appreciation for what I believe to be and what I have always believed to be a practically unanimous and unwavering devotion to the public service; a steadfast intent and purpose to do that which would best serve the public interest, redound to the glory, the honor, and perpetuity of the Republic, the happiness and prosperity of its people.

In expressing this view of the men with whom I have served in this body, I am not honoring them more than I am the people who sent them here, for if they were not, if they had not been honest, conscientious, and faithful public servants, devoted to

the interests of their constituents, what a sad and sorry reflection on their constituencies such a condition would have been. When I express my faith and confidence in the American House of Representatives I but express my faith and confidence in the people of the Nation, and as I have not had the honor of knowing intimately or well any considerable number of the constituencies of these my colleagues, I must of necessity judge those constituencies by the character of the men they choose to represent them, and thus judging them I am justified in the high opinion I have of American citizenship as reflected and represented by those whom the people choose to serve them.

LEGISLATIVE SERVICE NOT CARE FREE.

Service in the legislative body of a free people has never been an easy or care-free enterprise at any time or place, but the difficulties and responsibilities surrounding such service, particularly in the House of Representatives, have vastly increased in the passing of the years with the tremendously enlarged field of public action and activity, in which problems multiply and grow in importance and complexity with the developments of modern life and the growth of the Nation. Increased as are the difficulties and the responsibilities produced out of the conditions to which I have referred, they are still further increased by the changed attitude and relationship as between the Representative and his constituents.

In other times, when problems were comparatively few and simple, when the mails were slow, and the telephone and telegraph unknown or but little used, the Representative came to his duties here with a mind charged with the general average viewpoint and opinion of his time and his environment. He proceeded to perform his duties under the influences which had shaped his thought and molded his character, affected to a greater or lesser degree by the larger and national viewpoint which association with his colleagues, work on his committees, and participation in debate gave him.

News from the Capital City traveled to the homeland slowly, and the longhand suggestions and expressions of opinion were comparatively infrequent. The Representative was expected to and did perform his duty from the standpoint of the political principles to which he stood pledged, and of the general view of his constituents, carried out with due regard for the general public interests, as that view came to him through his associations here. But to-day the Representative arriving in Washington finds himself confronted by an amazing and confusing mass and variety of legislative proposals. The plain and simple problems of other days have given place to almost numberless suggestions and proposals of legislation and appropriation covering almost every known and every conceivable subject.

In this welter of plans and proposals the legislator, if he is wise, will become more or less of a specialist, informing himself thoroughly of those things which come within his committee's jurisdiction or of special interest to his section, and leaving to other colleagues a like duty and responsibility touching other matters, but he applies to all these problems the general view, opinion, and judgment which, formed and exercised on his native heath, won him the local good opinion which secured his seat in Congress. He soon learns, however, if he did not know before, how numerous, how active, and, in some cases, how powerful are organizations formed to promote local or sectional or class interests.

LEGISLATIVE REPRESENTATIVES.

The legislator of other days was, I have been told, besieged by the lobbyists of great interests. I never met them. We all know, however, that the legislator of to-day can scarce turn about without being confronted with the legislative representatives of a bewildering variety of interests, large and small. The great majority of the folks which these people claim to represent are entirely well intentioned—they certainly have no sinister designs upon the Republic. With the general aspirations, desires, and wishes of the classes or the organizations which they claim to or do represent we have no particular quarrel or controversy, but the trouble is that they are very frequently represented, not as to their views, opinions, and judgment on matters in general, but in relation to some particular or special plan which may not as presented represent their thoughtful purpose or be in harmony with the general public good. It may or may not fit in logically, reasonably, and wisely with the general scheme of legislation or of Federal activity.

We have reached a condition in which the political fortunes of a Member of Congress do not wholly or in the main depend upon the basic soundness of his view, his faithful attendance upon the sessions of the Congress, his earnestness and diligence and good faith in bearing his share in the performance of and responsibility for the work of the Congress, but to a very considerable extent upon the good will, the friendly attitude, the favorable reports of gentlemen who as legislative representatives sit in the galleries and, as the favored ones in the old Roman days decreed life or death to the struggling gladiator in the arena by the gesture of thumbs up or thumbs down, determine the political life and fortunes of Members of Congress.

Legislative and governmental principles and policies may be comparatively simple as outlined and propounded in general terms, but the application of principles and policies under the conditions of modern life is never simple and generally complex and difficult. The average citizen, busy with his own affairs, looks at a matter in its apparently simple and unrelated form. The Member of Congress must view it in its related and its frequently complex and trying detail. The citizen approached with regard to a plan or purpose advocated by a neighbor, associate, or friend sees it only in its most isolated, appealing, and persuasive character, and good-naturedly joins in an appeal to his Congressman. Thus during the consideration of questions and problems of the greatest complexity and importance, as the hour of final determination approaches the telephone bells jingle, the mails increase, and the wires deliver a perfect deluge of insistent appeal. Personally I have experienced but little of this character of appeal. No Representative has had a more considerate constituency than I, none has had fewer appeals from constituents on pending legislation than I, but the experience of many Members has been quite different.

How often have we noted here the effect of an organized propaganda and of its written and phoned and wired fruits. Without regard to all this pressure, those who have never experienced it will say, "The Member should ignore it if it does not square with his best judgment. Let him vote his opinion and explain it to his constituents." Ah, there is the rub. Many a signature to those communications may have been grudgingly or carelessly given to be freed from importunings or to avoid unfriendly comment. It may reflect neither knowledge nor opinion on the subject, but should a signer later be reminded in the adroit and insidious way of the propagandist of the fact that the Representative has failed to respond to his appeal—well, many a man has learned to his sorrow that a recommendation lightly made may be the basis of the most intense opposition if it is not followed.

The sneering critic of things as they are will say, "Well, what of it; why don't a man do his duty without regard to his political fortunes?" The same individual would quite likely be the first to sign a petition that he had not read in order to avoid annoyance or ill will. The man who becomes interested in and devoted to public service does not like to be defeated and his friends and party desire his success. As long as human nature remains as it is, organized propagandists will have their influence, and the blame lies not so much with those who are influenced by them as with the public that joins in or encourages propaganda. Let us not forget that, in the main, the plans and purposes of organized minorities, as cunningly stated by their proponents, have a profound appeal. Those most dangerous in their final effect upon the country may, pleasingly stated and superficially examined, appear not only harmless but highly beneficial. Therein lies their danger.

In view of the conditions I have briefly referred to and partially outlined, it is my judgment and opinion that in the long run the people of the Nation would be best served if, after having elected a Congress, they allowed it to proceed with the performance of its duties without organized and promoted propaganda and appeal. Members come here fairly well acquainted with the problems of the country and the general view and opinion of their district or their section touching them. They have the opportunity to examine the problems presented to them from every angle and viewpoint, and their best product would be that of the judgment and opinion which won them their seat in the Congress, modified and affected by the examination of facts and the exchange of opinions among members in committee and in debate on the floor. The greatest menace of the day is the menace of organized, militant, persistent minorities—minorities which dissociated from the particular object of their legislative pursuit may be among the best intentioned of our citizenship, but under the spell and spur of specious pleading and selfish appeal propose, suggest, urge, and demand the most dangerous procedure. I wish it were possible, with a view of neutralizing the effect of these minority drives, to organize all these minorities and all the balance of the people into the amalgamated society of the public interest, with their only effort and purpose that of shielding the representatives

of the people from the drives of minorities seeking special favors and privilege; their accomplishment would be worthy of the highest praise.

LEGISLATIVE COURAGE.

I have expressed my confidence in the good intentions, in the honesty of my colleagues in this and other Congresses, but may I suggest the best intentions in the world will not save the Republic under the conditions to which I have referred, unless they be accompanied with a rare courage, and I sincerely regret that I can not, in good conscience, pay the high tribute to the moral courage of the Congress that I have paid and hold touching the honesty, integrity, patriotism, and good intentions of its Members. I have become so impressed with the importance of courage—the courage of one's convictions—that I have found myself with the passing of the years more and more disposed to feel charitable, even kindly, toward those whose views are furthest from those I hold, if I believe those views are held in good conscience, and particularly if they are declared in the face of opposition approaching the character of coercion.

If every vote which has been taken since I have been here were based upon the views expressed in the free confessions in the cloakroom rather than those voiced in the roll call under the pressure of militant minorities it would have been better for the country. May God speed the day when the moral courage of the Congress shall equal the integrity and the good intention of its Members.

Had I the time I should be glad to discuss the changes of our plan of organization and our method of legislation since I first came to Congress. Unfortunately there is not sufficient time to do so in these closing days of the session. I desire, however, to express the view that the House has grown in efficiency and has improved in its methods very greatly in the last 20 years. I believe that in the main the present plan of organization, the present method of appropriation, will stand, and that improvements will be made in the rules and the practice of the House under which the legislative committees will reestablish that balance of authority and jurisdiction somewhat disturbed by the practice under the Budget thus far.

CHANGES OF PROCEDURE.

Some day, in my opinion, the appropriation bills will be further consolidated. Some day the general legislation from the major legislative committees will come forth, in the main, in omnibus form. I am inclined to the opinion that it would not be a bad idea if legislation could be considered and advertised and heralded to the world in terms expressing its purpose rather than under the name of an individual. I do not wish to criticize the ambition which craves the advertising that a bill or measure under an individual's name may bring the purported author, but I do believe that in the long run we shall legislate more acceptably if the purpose rather than the individual give the name and the title to legislative proposals. Some day, and in the no distant future, I believe we shall appropriate for the calendar rather than for the fiscal year. As we increase the volume of the Federal activities that have to do with works in the open and field services we are more and more impressed with the uneconomic and impracticable character of appropriations which end and begin in the middle of the summer of the working season.

One of the problems that must be met in the near future is that of eliminating or lengthening the so-called short session. The country is so large, the field of Federal activities is so broad, the essential work of appropriation and legislation is so considerable that the period from the first Monday in December to the 4th of March no longer suffices for a fair and reasonable consideration of legislation. Just how it shall be done, just what amendment to the Constitution, if any, will be necessary, must be a matter of very careful, painstaking consideration, but the necessity has become so clearly apparent that attention and consideration should no longer be delayed.

The essential change, so as to give each Congress two sessions—one of such length as the Congress, in its judgment, may determine, and the other long enough for the transaction of essential public business—must be considered in the light of the many things that such a change affects—the date of elections, the question of appropriations, the avoidance, if possible, of long midsummer sessions of Congress.

I came to the House a stranger to national forms of legislation and procedure, impressed, I think, as every citizen of the Republic is, with the grandeur of the National Capitol and the responsible character of the public service. The novelty has long since worn off; the ways and places of legislation have become familiar, but they have not become commonplace. I leave them with an even higher regard for the dignity of service here than when I came. My respect and my affection for the membership has grown with the passing of the years. My confidence in this Chamber, in the hands of whose membership rests the destinies of the Republic, has grown firmer with the passing of time; and, praying that your constituents will give you latitude for the exercise of your good judgment, and that Providence will give you courage equal to your high purpose and good intent, I shall leave these Halls feeling that the Republic is safe in the hands of the Representatives of its people.

Mr. Speaker, I ask unanimous consent to extend my remarks in the RECORD.

The SPEAKER pro tempore. The gentleman from Wyoming asks unanimous consent to extend his remarks in the RECORD. Is there objection? [After a pause.] The Chair hears none.

LEAVE TO ADDRESS THE HOUSE.

Mr. KLINE of Pennsylvania. Mr. Speaker, I ask unanimous consent to proceed for five minutes.

The SPEAKER pro tempore. The gentleman from Pennsylvania asks unanimous consent to proceed for five minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. KLINE of Pennsylvania. Mr. Speaker and gentlemen of the House, I came into the Congress three years ago. I am going out one hour and four minutes from now. [Laughter and applause.] I came here with the determination to attend as carefully as I could to my office duties and to my committee duties, and to attend the sessions of the House as much as I could; to keep eyes and ears open and talk little, for some time at least. Others must judge whether I have succeeded. These have been two delightful years, red-letter years in my life; and they have been delightful in large part because on the Republican side I found upright, honest, splendid, kindly, and courteous gentlemen. And on the Democratic side I found as well upright, honest, splendid, kindly, and courteous gentlemen.

SEVERAL MEMBERS. Oh, no.

Mr. KLINE of Pennsylvania. Yes, sir; they have been nice to me. And I want to say something more—that I have found the entire delegation of the Socialist Party just as honest, upright, kindly, and courteous as any of the rest. [Applause.] It has been a great pleasure to know the delegation of the Socialist Party.

Mr. McARTHUR. How about the drys?

Mr. KLINE of Pennsylvania. I will come to that later. I wish to thank you all for the delightful courtesy I have received at your hands. I can proclaim for the rest of my life to my friends everywhere what a splendid lot of men there are in the United States Congress. I will tell any man if he wants to see his finish and see it quickly, just offer any man in the House a thousand dollars for his vote. [Laughter and applause.] He will not live long. [Applause.]

Mr. BANKHEAD. Will the gentleman yield for a question?

Mr. KLINE of Pennsylvania. Yes.

Mr. BANKHEAD. In the gentleman's delightful and harmonious experiences, what impression have the ladies of Washington made upon him?

The SPEAKER pro tempore. The time of the gentleman has expired.

COMMITTEE TO WAIT UPON THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, I offer the resolution which I send to the Clerk's desk, and ask that it be reported.

The SPEAKER pro tempore. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 577.

Resolved, That a committee of three Members be appointed by the Speaker pro tempore to join a similar committee appointed by the Senate to wait upon the President of the United States and inform him that the two Houses have completed the business of the present session and are ready to adjourn unless the President has some other communication to make to them.

The question was taken, and the resolution was agreed to.

The SPEAKER pro tempore. The Chair appoints the gentleman from Wyoming [Mr. MONDELL], the gentleman from Michigan [Mr. FORDNEY], and the gentleman from Tennessee [Mr. GARRETT].

Mr. MONDELL. Mr. Speaker, I move that the House stand in recess until 11.30.

The SPEAKER pro tempore. The gentleman from Wyoming moves that the House stand in recess until 11.30.

The question was taken, and the motion was agreed to.

Accordingly (at 11 o'clock and 5 minutes p. m.) the House stood in recess until 11.30.

AFTER RECESS.

The recess having expired (at 11 o'clock and 35 minutes a. m.), the House was called to order by Mr. CAMPBELL of Kansas as Speaker pro tempore.

APPOINTMENTS TO COMMITTEES, ETC.

The SPEAKER pro tempore. The Chair announces the following appointments, which the Clerk will report.

The Clerk read as follows:

The Speaker pro tempore announces that, pursuant to the act of March 3, 1923, making appropriations to provide additional compensation for certain civilian employees of the Governments of the United States and the District of Columbia during the fiscal year ending June 30, 1923, the Speaker appoints Mr. MADDEN, Mr. ANDERSON, and Mr. BYRNES of South Carolina as members of the joint committee to investigate adjustment of compensation of officers and employees of the legislative department.

The SPEAKER pro tempore. Also the following additional appointments, which the Clerk will announce.

The Clerk read as follows:

Pursuant to the agricultural credits act of 1923, approved March 3, 1923, the Chair announces the appointment of Mr. MCFADDEN, Mr. DALE, Mr. STRONG of Kansas, Mr. WINGO, and Mr. STEAGALL as members of the Joint Committee on Banking and Currency.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. COLLIER] will please take the chair.

Mr. COLLIER assumed the chair as Speaker pro tempore.

RESOLUTIONS COMPLIMENTING THE SPEAKER.

Mr. GARRETT of Tennessee. Mr. Speaker, I offer the following resolution.

The SPEAKER pro tempore. The gentleman from Tennessee offers a resolution, which will be read by the Clerk.

The Clerk read as follows:

House Resolution 578.

Resolved, That the thanks of this House are presented to the Hon. F. H. GILLETT, Speaker of the House of Representatives, for the able, impartial, and dignified manner in which he has presided over its deliberations and performed the arduous and important duties of the Chair during the present term of Congress.

[Applause.]

The SPEAKER pro tempore. The gentleman from Tennessee is recognized.

Mr. GARRETT of Tennessee. Mr. Speaker, the resolution which I send to the desk represents in its every expression, I am sure, the real feeling and the sincere sentiment of the entire membership of the House. [Applause.]

Mr. Speaker GILLETT has presided ably; he has presided fairly; he has ruled always honestly. He has the respect, as a gentleman and as a Speaker, of us all. I know that I voice the sentiment of the House also in expressing regret at the illness which has overtaken him during the last days of this session, and I know all will join me in the sincere hope that he may be speedily returned to good health and happiness. [Applause.]

The SPEAKER pro tempore. The question is on agreeing to the resolution offered by the gentleman from Tennessee.

The resolution was unanimously agreed to.

Mr. GARRETT of Tennessee. Mr. Speaker, I present an additional resolution.

The SPEAKER pro tempore. The gentleman from Tennessee submits an additional resolution, which the Clerk will report.

The Clerk read as follows:

House Resolution 579.

Resolved, That it has been a source of profound sorrow to the House that during the last week of the session the Hon. F. H. GILLETT, Speaker of the House, has been ill and unable to be in attendance. The Members send him their greeting, and sincerely trust that his health may be speedily and fully restored.

The SPEAKER pro tempore. The question is on agreeing to the resolution offered by the gentleman from Tennessee.

The resolution was unanimously agreed to.

Mr. MONDELL. Mr. Speaker, of all the great men who have occupied the Speaker's chair, none has measured up in a finer way to the high standards of that exalted office than FREDERICK H. GILLETT. [Applause.] It has been my privilege to have been closely associated with him for the last four years, and I have never known a man who, under all circumstances, is so invariably kind, courteous, and considerate. We regret sincerely his present illness, and we hope for his early restoration to health.

Mr. Speaker, I want to pay a tribute to the minority leader [Mr. GARRETT]. During my service as majority leader I have come to know him well, during this period of our association, and my regard for and appreciation of him has constantly grown. [Applause; the Members rising.]

He is a fine example of American citizenship, a good and stalwart Democrat [applause]; a fair, honorable, and faithful leader. I express to him my very great appreciation of his consideration of me during the period of my service here. [Applause.]

MESSAGE FROM THE PRESIDENT OF THE UNITED STATES.

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that the President had approved and signed bills of the following titles:

On March 2:

H. R. 7053. An act to grant certain lands to the city of Canon City, Colo., for a public park;

H. R. 7322. An act for the relief of John F. Homen;

H. R. 7967. An act granting certain lands to Escambia County, Fla., for a public park;

H. R. 9944. An act for the relief of Vincent L. Keating;

H. R. 10047. An act for the relief of Frances Martin;

H. R. 11579. An act to amend section 1 of an act approved January 11, 1922, entitled "An act to permit the city of Chicago to acquire real estate of the United States of America";

H. R. 11603. An act to validate for certain purposes the revocation of discharge orders of Lieut. Col. James M. Palmer and the order restoring such officer to his former rank and command;

H. R. 11637. An act authorizing the Secretary of the Interior to approve indemnity selections in exchange for described granted school lands; and

H. R. 13326. An act in reference to a national military park at Yorktown, Va.

On March 3:

H. R. 370. An act for the relief of Charles W. Mugler;

H. R. 962. An act for the relief of the heirs of Robert Laird McCormick, deceased;

H. R. 4421. An act for the relief of John Albrecht;

H. R. 6954. An act fixing the rates of postage on certain kinds of printed matter;

H. R. 8448. An act for the relief of Joseph Zitek;

H. R. 10179. An act for the relief of Americus Enfield;

H. R. 10287. An act for the relief of John Calvin Starr;

H. R. 10677. An act for the relief of Quincy R. Craft; and

H. R. 14249. An act for the relief of the owners of the American schooner *Mount Hope*.

TRIBUTES TO RETIRING MEMBERS.

Mr. HICKS. Mr. Speaker, I consider it a signal honor to say a word with reference to a great statesman of Illinois whose official life terminates to-day, after a half century of distinguished service in this body—JOSEPH GURNEY CANNON. [Applause, the Members rising.] Inheriting from a Quaker ancestry those distinctive principles of simplicity, honesty, and determination, his life has been characterized by those attributes.

By a singular coincidence, Mr. CANNON entered this House two days before I was born, and he and I leave the House on the same minute this day. [Applause.]

I want to say to Uncle JOE that he takes with him to his home in Danville, Ill., not only the respect and the veneration of this House, but he takes with him also the affection and the love of every Member of this body. [Applause, the Members rising.]

Mr. CAMPBELL of Kansas resumed the chair as Speaker pro tempore.

The SPEAKER pro tempore. The gentleman from Mississippi [Mr. SISSON] is recognized.

Mr. SISSON. Mr. Speaker and gentlemen of the House, I take a great deal of pleasure, bespeaking the sentiment in behalf of every Democrat in this House and of the Democrats who served with him, in expressing our very deep appreciation for the goodness and the greatness of Mr. CANNON, who has been in this House longer than any other man ever served in the House of Representatives. [Applause.]

It has been my pleasure to know Uncle JOE intimately. I have learned to love him deeply, and it will be a source of satisfaction all of my life to be able to say that I have known intimately one of the greatest men and one of the greatest characters that America has produced. [Applause.]

When the history of this House is written, as it will be—when the history of the Speakers has been written—Uncle JOE CANNON will stand out in bold relief as one of the greatest men that ever occupied that position in the history of this

country. And as he leaves, ripe in years and ripe in experience, he goes out of this House with every single Member of it respecting him, and the overwhelming majority loving him. I believe I express the sentiment of every heart when I say that the House of Representatives wishes for him in the days that remain to him happiness, peace, and contentment. [Applause.] May every moment that he lives be a moment of joy and happiness, and may these moments be many, and may he have the pleasure of coming back to this House, which he loves so well, many times. God bless you, Uncle JOE; you go with our love, you go with our admiration, you go with our best wishes. [Applause.]

Mr. GALLIVAN. Mr. Speaker, at the request of several Members, I ask unanimous consent to have printed in 8-point type this tribute to Uncle JOE in a story from the Baltimore Sun—"Shed a tear for Uncle JOE, because he is leaving us to-day."

The SPEAKER pro tempore. Is there objection to the request of the gentleman from Massachusetts?

There was no objection.

The article is as follows:

[From the Sun, Baltimore, Sunday morning, March 4, 1923.]

SHED A TEAR FOR "UNCLE JOE," WHO QUITS TO-DAY—VETERAN HELD RECORD FOR SERVICE, HAVING BEEN IN CONGRESS FOR NEARLY HALF A CENTURY.

(By Theodore Tiller.)

WASHINGTON.—They're packing up for Danville. The midnight train leaves soon for Illinois.

The cedar chests and file cases used in the yesteryear, the scrapbooks with the newspaper stories and cartoons of other days, the letters written in Lincoln's time, published speeches of many a historic debate, routine correspondence that came in only last week—all are starting toward the West and the sunset.

"Uncle JOE" CANNON is going back home.

The packers bustle about in his two little offices just off the Chamber of the House of Representatives, wherein "Uncle JOE" has served longer than any other man. Because of his years and unprecedented service, Mr. CANNON for some time has occupied rooms adjacent to the Chamber and not in the distant House Office Building.

WENT THERE HALF CENTURY AGO.

JOSEPH GURNEY CANNON came to the House 50 years ago. With the exception of two terms, he has been here since. Twice he was overcome by Democratic landslides, but he came back two years later. To-day he quits voluntarily after 46 years of actual service, including eight years as Speaker.

Senator Justin Smith Morrill, of Vermont, who died a quarter of a century ago, nearest approached to Mr. CANNON in length of service. Combining his time in House and Senate, Senator Morrill rounded out 43 years 9 months and 25 days.

On December 29, 1920, "Uncle JOE" beat that record by one day, and the House held a great celebration. It is a tragic fact that only about two years later three of the comparative veterans in service who participated in the love feast and were mentioned in the speech of "Uncle JOE" that day are now gone.

They are Champ Clark, James R. Mann, of Illinois, and John A. Moon, of Tennessee.

RECORD-BREAKING SERVICE.

That the younger generation may grasp something of the significance of the record-breaking service of Mr. CANNON, let us trace the flight of time paragraph by paragraph, and almost each brief fact is worth a story in itself:

Of the 371 Senators, Representatives, and Delegates who were in Congress when "Uncle JOE" came here a half century ago, only two are left—Mr. CANNON and Gen. Isaac Sherwood, of Ohio, the latter one year older than the Illinois statesman.

General Sherwood was out of the House 34 years and then returned; also, he has been out the past two years, but will be a member of the next (68th) Congress.

When CANNON came to Congress James G. Blaine, the "plumed knight," was Speaker of the House. Garfield was a member of the Ohio delegation. On the floor were Hoar, of Massachusetts; Frye and Hale, of Maine; Alexander H. Stephens, of Georgia; "Sunset" Cox, of New York; Ben Butler, of Massachusetts; and Roger Q. Mills, of Texas.

DISTINGUISHED CONTEMPORARIES.

At the Senate end were Cameron, pioneer political boss of Pennsylvania; Roscoe Conklin; Henry G. Davis, of West Virginia; John J. Ingalls, of Kansas (he wrote "Opportunity"); Oliver P. Morton, of Indiana; John Sherman and Allen G. Thurman, of Ohio; Frelinghuysen and Bayard, of New Jersey, whose descendants are the Senators FRELINGHUYSEN and BAYARD of to-day.

Eleven States have been admitted to the Union since JOSEPH G. CANNON took the oath of office.

Long before the world heard of the Wright brothers and their airplane Mr. CANNON was chairman of the House Committee on Appropriations. There came before the committee Professor Langley, of the Smithsonian Institution, who asked a $10,000 appropriation to experiment in flying.

"Great heavens!" exclaimed Mr. CANNON. "A flying machine to ride up in the air. Whoever heard of such a thing?"

SO LANGLEY GOT THE MONEY.

Then Langley went ahead and pleaded that a bird was heavier than the air and could fly, and he was confident man could fly like a bird. The idea seemed preposterous to CANNON and other committee members, but Langley pleaded so, and the amount asked was small, they let him have it.

"And now," said Mr. CANNON, "the sky is filled with airplanes and human flyers, and they are implements both of commerce and war."

As the late Speaker, Champ Clark, said in one of his tributes to Representative CANNON:

"When he was born at Guilford Courthouse, N. C., in 1836, there were no railroads, no telegraphs or telephones; no sewing machines, flying machines, repeating rifles, and a thousand other things deemed necessary to our modern civilization."

MECHANICAL REVOLUTION.

"Uncle JOE" himself recounts that since that day his folks left Guilford Court House and started westward, saying "Good-by, civilization," as they began their trek to Illinois, he has seen come the reaper and the mower; the gang plow and the whole revolution in agriculture; the telegraph, telephone, and now the radio; the electric railroad; the submarine and the airplane; the typewriter and the modern printing press.

One of the most effective speeches ever made in the House was that of Mr. CANNON in 1916, when he defended a bill creating the American Academy of Arts and Letters and the immortals it proposed to name. Recalling the prairie schooner of his youth, he concluded:

"Now, then, take art. I do not know how many of you have gone to the western end of the Capitol and seen on the wall that picture entitled 'Westward the Star of Empire Takes Its Way.' A great artist, I can not recall his name now, painted that picture on the wall. There it is. It represents the pioneer from the Atlantic coast on his way westward.

"There are the steer and the mule hitched up together; there is the woman with the babe in her arms, sitting in the wagon; there is the little grave by the side of the road; and there is the pioneer with his coonskin cap and the little boy with his coonskin cap, the grandson or the son, carrying a rifle, followed by the faithful dog; another stands upon the mountain and looks to the westward.

"Ah, Mr. Speaker, I was a part of that picture in a way, and by that I mean I experienced most of what it represented in the pioneer days; and as I looked upon that picture the first time, though I am not given much to tears, I caught myself crying. And during all the years since I have never glanced toward it without saying to myself, 'God bless the man who painted that picture!'"

IN WHIMSICAL VEIN.

In more whimsical vein was "Uncle JOE" on the day he exceeded Senator Morrill in length of service. Addressing the House, every Member having risen to his feet cheering, the old man from Danville said concerning the year of his first election:

"The year of 1872 was a memorable one in many respects. Vesuvius had a violent eruption that year, and General Sherwood and I were elected to the House. There were other happenings—the organization of the German Empire and the French Republic, the emancipation of slaves in Porto Rico, the connection of Australia with the rest of the world by cable, the great Boston fire, and the Geneva award of the Alabama claims. But these concerned the world at large, while the election of my friend and colleague, General Sherwood, and myself was personal; and I am glad he is here to share with me the doubtful honor of elder statemen.

"I am reminded that our honorable Speaker [Mr. GILLETT] and his predecessor [Mr. Clark] were approaching the polls to cast their first votes that year, Mr. GILLETT no doubt voting for General Grant, who had only a few years before been considered a good Democrat, and Mr. Clark voting for Horace Greeley, who was still a stalwart Republican and Protectionist, though transplanted for a few brief weeks to the leadership of the Democratic Party.

"Jim Mann, aged 16, was no doubt beginning his struggle with rival ambitions to continue a farmer or become a lawyer, and I am glad his perverse nature monopolized his ambition until to-day he is an ornament to both professions, a true scientific farmer and the most industrious and useful lawmaker I have ever known.

"My friends RAINEY and MONDELL, at the age of 12, were beginning to figure life in percentages, while RODENBERG, at the age of 7, was winning his way with 'You'd scarce believe one of my age,' and the ambitions of CLAUDE KITCHIN and NICK LONGWORTH, at the age of 3, were centered about their first pants. Looking around me I find more than 100 of my colleagues to-day who had not even been born * * * and I feel that 1872 must have been a long way back in the history of the House."

Still in whimsical mood we find "Uncle JOE" saying recently:

PLACE OF THE REFORMER.

"I suppose a reformer has his place. I sometimes think they get pretty thick. They say that their province is to fight with the Almighty; that the Almighty and one are a majority. Well, they have their place; I am not here to abuse them. Nearly all of them are honest, but once in a while we find one who is a hypocrite, makes his living by being a reformer, but who would think of one of them as a Member of Congress or a President * * *? Reform is a much abused word in Government affairs. When I hear men talk about Government reform I am reminded of a newspaper waif I read many years ago:

I'm thankful that the sun and moon
  Are both hung up so high
That no pretentious hand can stretch
  And pull them from the sky.
If they were not, I have no doubt
  But some reforming ass
Would recommend to take them down
  And light the world with gas.

There are a thousand anecdotes about and by this remarkable man from Danville, Ill. He has "stood for" many a story that he never told. He has been cartooned, caricatured, and photographed thousands of times. In the day of so-called "Cannonism" the caricatures—most of them—were unfriendly and carried a sting that got under the quick of even "Uncle JOE." In recent years, now that the American public and his political enemies have found that Mr. CANNON did not possess horns and that certain of his "gag rule" methods have been necessary since to control the House, the newspaper stories and cartoons have carried the touch of kindness and a better understanding. Everybody is glad that Mr. CANNON has lived long enough to see it.

SAYINGS OF CANNON.

That brings one to a favorite expression of his—and he has several maxims:

"The pendulum will swing back" is perhaps his best, a trite way of saying that in life and politics issues rise and fall and the things accursed to-day may be the things acclaimed tomorrow.

Other Cannonesque sayings with a punch include:

"Nearly all legislation is the result of compromise."

"A majority can do anything."

"In the last analysis sound judgment will prevail."

"In legislation we all do a lot of 'swapping tobacco across the lines.'"

"You can't make a silk purse out of a sow's ear, and you can't change human nature from intelligent self-interest into pure idealism—not in this life; and if you could, what would be left for paradise?"

In connection with "swapping tobacco across the lines," as they did in the Civil War, Mr. CANNON has told how he put through an appropriation for the entertainment of Prince Henry of Prussia when that foreign visitor came over years ago. He prearranged with OSCAR W. UNDERWOOD, then in the House, that he would propose the appropriation late in the afternoon, when the House attendance was slim. Mr. UNDERWOOD, representing objecting Democrats, was to kick strenuously for a time about the cost of entertaining the prince; then UNDERWOOD was reluctantly to withdraw his opposition, the chances being no other Democrat would take it up.

The "swapping of tobacco" across the aisles worked and the appropriation went through.

REARED A QUAKER.

JOSEPH G. CANNON was brought up in the Quaker Church. In the days of his youth the Quakers were strong for discipline. A rule was that no member of the Friends Church might marry outside the faith without getting consent of the elders; if he so married, he must come afterwards and express regret and get the forgiveness of the elders.

Young CANNON married a Methodist. The church elders insisted that he should express regret, this demand being made a week after the marriage.

"I'll be damned if I do," said CANNON, with the independence revealed in later life. "If you had waited a year or so after I married the young lady, I might have expressed regret, but I won't do it this soon."

And JOSEPH G. CANNON never did "regret" that happy marriage.

HIS FIRST DISTINCTION.

As a young legislator CANNON received his first real notoriety in the time of a Democratic adversary, "Sunset" Cox, of New York, one of the brilliant debaters of the past generation. CANNON asked Cox to yield time for a statement.

"I'll do it as long as the gentleman keeps his left hand in his pocket," said "Sunset" Cox. CANNON started in to speak, warmed up a bit, and pulled out his left hand and waved it high above his head, a gesture characteristic to this day.

"Time's up," said Cox, and the House and galleries knew CANNON from then on.

The House probably never again will see the like of "Uncle JOE" nor record a record of service like his. As put by Representative WILLIAM A. RODENBERG, of his State, no Republican under 71 years of age in the eighteenth Illinois district has ever voted for a Republican nominee except CANNON. Champ Clark thought it would be a hundred years or more before Congress would furnish a Member of such length of service as that of CANNON—and Clark must have been thinking the men of the future would learn to live longer than men do now.

PREPARING FOR FUTURE.

The other night Mr. CANNON gave a farewell reception to members of the Gridiron Club and a few other newspaper men of Washington. There were songs and speeches and laughter. "Uncle JOE" sat with a far-away look in his eyes as the Gridiron quartet sang "Annie Laurie" and other favorites of the long ago. Soon after he turned to Representative WILLIAM S. GREENE, of Massachusetts, who has been in the House 26 years.

"BILL GREENE," he said, "you are just a youngster, only 82 years old. Well, I'm going to give a party on my one hundredth birthday and you are invited to come."

"I'll be there, JOE, if I am living," said BILL GREENE.

It was an appealing picture. And another followed it. JOE CANNON put his arms around the shoulders of JOE FORDNEY, of Michigan, who quits Congress after 24 years, and FORDNEY threw his arms about the shoulders of his friend. Patting one another on the back they started to get FORDNEY's overcoat and say good night.

Side by side they had fought many a legislative battle—these two. Each quits voluntarily because he's tired. As they walked toward the doorway where the car of the gray-haired FORDNEY awaited them, RODENBERG, of Illinois, a younger man, who goes out of Congress of his own accord, turned and with a little mist showing in his eyes, said:

"I don't like to see things like that."

And neither did the rest of them—regardless of creed, political belief, or age.

In paraphrase of a line of CANNON's favorite poem, by James Whitcomb Riley:

"Good-by, Uncle JOE; take keer o' yourself."

Mr. MADDEN. The Speaker pro tempore is about to leave us. He has served with distinction for more than 20 years in this body. No man who has ever served here has rendered more efficient service than PHILIP PITT CAMPBELL. [Applause.] We regret to see him go. God be with him wherever he goes and in whatever he may do. He takes with him the love and affection of every Member of the House, their confidence and their esteem. We wish him Godspeed and great success in whatever he may undertake to do. [Applause.]

Mr. GREEN of Iowa. Mr. Speaker, if it is possible for any other Member to occupy in the hearts of this House the same position that is occupied by one who was so long known by the name of Uncle JOE, there is another Uncle JOE, the gentleman from Michigan. [Applause.] Mr. Speaker, the gentleman from Michigan [Mr. FORDNEY] entered this House some years ago. He has come up from the most lowly beginnings to the highest position, as we think, that any Member may reach, as chairman of a committee. In that place he has shown an extraordinary vigor and force and left his impress as no other man upon the great measures of tariff and revenue which have been passed by this Congress and which we on this side believe to be an unexampled success. Mr. Speaker, he has the love and affection

not only of the committee he has so long presided over but I know he has the love, affection, regard, and esteem of this House, which will follow him through all the days of his life. We wish him Godspeed. [Applause.]

Mr. MONDELL. Mr. Speaker, we have all of us on both sides of the Chamber very greatly regretted the absence from the sessions of this Congress of the gentleman from North Carolina [Mr. KITCHIN]. Fortunately for his party, his place here has been ably filled. We all join in wishing him a speedy restoration to sound health, and happiness and prosperity all his days.

Mr. Speaker, it would not be seemly or in accordance with the wishes of the Members of this House to allow the session to close without calling attention to the fact that the country is about to lose the services, temporarily at least, with the close of this Congress of two splendid women Members of the House. [Applause.]

The lady from Illinois [Mrs. HUCK] will, of course, soon return to these Halls and continue her legislative career. We wish her success in her ambitions along that line. The lady from Oklahoma [applause] tells us, as many other departing Members have told us, that she does not desire or expect to return to the House. We hope that she may return. The country will benefit by her service. [Applause.] It is admitted by all who have served in this House that the quality most needed, the quality most essential here, is that of courage, and this quality is and has been possessed by Miss ALICE ROBERTSON, of Oklahoma, to a marked degree. [Applause.] No one who has ever served here has given closer or more intelligent and earnest attention and consideration to the business of the House, and none has exhibited finer courage under all circumstances and conditions. [Applause.] We wish her well in her retirement to her home in Oklahoma, and the country will be well served if she concludes some day to return to service here. [Applause.]

REPORT OF THE COMMITTEE TO NOTIFY THE PRESIDENT.

Mr. MONDELL. Mr. Speaker, your committee appointed to join a like committee of the Senate to notify the President that the House had concluded its work and was ready to adjourn, announces that this duty has been performed. The President has notified us that he has no further communication to make to us, and bids us Godspeed and a temporary farewell.

The SPEAKER pro tempore. Members of the House of Representatives, the last 10 days of this session have not been conducive to reflection by the presiding officer. Therefore, the usual address to the departing Members by the Speaker can only be this: You are the guardians of the institutions that have preserved and protected the liberties and the opportunities of the American people. It is your duty, as it will be the duty of those who shall follow you, to keep sacred, inviolate, all of the traditions and the institutions that have so gloriously ministered to the welfare and the happiness of the people of this Republic for a century and a half. Let nothing beguile you when you return to your constituents to yield to the seductive and plausible opportunities that may be presented for speech that leads one away from the fundamental principles of the Government of the United States. [Applause.]

Members of the House of Representatives, more than any other agency in this Republic, should teach the people of the Republic what the Constitution of the United States means, what it is, what this Government is. Preserve it for future generations as it has been handed down to us by the generations that have passed. This is the duty of the Representatives of the American people in the Congress of the United States.

May I add this: If any of you, now Members, have an ambition to become the Speaker of the House of Representatives, take up your duties at the beginning of the session of Congress rather than at the end. [Laughter.] You will then mature into the situation far better than by being thrust into the work the last days of the strenuous work that is always incident to the closing days of the Congress.

I bid you one and all Godspeed, and that you and yours may enjoy health and happiness, and that you will be able to mingle with your constituents to your good and theirs and return here better prepared for your duties as Representatives of the American people than ever before.

The hour of 12 o'clock noon having arrived, I declare the Sixty-seventh Congress adjourned without day.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS.

Under clause 3 of Rule XXII,

Mr. DALLINGER introduced a resolution (H. Res. 580) to amend the rules governing the procedure of the House of Representatives, which was referred to the Committee on Rules.

PETITIONS, ETC.

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

7515. By the SPEAKER (by request): Petition of citizens of Springfield, Mass., opposing any bill which aims to regulate Sunday observance by civil force; to the Committee on the District of Columbia.

7516. By Mr. COLE of Ohio: Petition of residents of the eighth Ohio congressional district, asking that section 900, paragraph 7, of the internal revenue act be amended; to the Committee on Ways and Means.

7517. By Mr. DALLINGER: Petition of the Massachusetts Commandery of the Military Order of Foreign Wars of the United States, favoring an appropriation for the construction of a national archives building; to the Committee on Public Buildings and Grounds.

7518. By Mr. DUPRÉ (by request): Petition of 240 citizens of New Orleans, La., protesting against the passage of House bills 4288 and 9753; to the Committee on the District of Columbia.

7519. By Mr. GRIFFIN: Petition of the Central Trades Council of Greater New York and Vicinity, urging investigation of the Burns and other detective agencies throughout the United States; to the Committee on the Judiciary.

7520. Also, petition of the Bronx County Hungarian Democratic Club, protesting against the proposed immigration law decreasing quota to 2 per cent and basing figures on census of 1890 instead of 1910; to the Committee on Immigration and Naturalization.

7521. By Mr. HUDDLESTON: Petition of H. Mayberger and many other citizens of Birmingham, Ala., in opposition to compulsory Sunday observance laws; to the Committee on the District of Columbia.

7522. By Mr. KISSEL: Petition of the American Legion, Department of California, favoring the exclusion of immigrants and permanent residence of all aliens ineligible to citizenship; to the Committee on Immigration and Naturalization.

7523. Also, petition of Scott & Williams, New York City, N. Y., favoring passage of House bill 8928; to the Committee on Reform in the Civil Service.

7524. Also, petition of New York State Federation of Labor, Utica, N. Y., opposing interference by the United States with statutes of the State of New York; to the Committee on Military Affairs.

7525. Also, petition of Central Trades and Labor Council, New York City, N. Y., calling upon Congress to appoint a committee to investigate the activities of William J. Burns; to the Committee on the Judiciary.

7526. Also, petition of Emergency Committee on Near East Refugees, favoring an amendment to the immigration laws permitting the admission of Armenian refugees into this country; to the Committee on Immigration and Naturalization.

7527. Also, petition of the New York Patent Law Association, New York City, N. Y., urging the passage of the Sterling-Lehlbach bill (H. R. 8928); to the Committee on Reform in the Civil Service.

7528. By Mr. McDUFFIE: Petition of 89 citizens of Mobile, Ala., opposing any compulsory Sunday observance bill; to the Committee on the District of Columbia.

7529. By Mr. MICHENER: Petition of sundry citizens of Michigan, favoring Newton resolution providing immediate aid to German and Austrian Republics; to the Committee on Foreign Affairs.

7530. By Mr. O'BRIEN: Petition of National Disabled Soldiers' League, New Jersey, requesting Congress to authorize the Veterans' Bureau to train 150 men and 9 officers for the permanent caretaker positions and other positions in the national cemeteries in France, Belgium, and England; to the Committee on Military Affairs.

7531. Also, petition of National Disabled Soldiers' League, asking Congress to rescind the order of the cemeterial division of the Quartermaster Corps, United States Army, which prohibits the return of American deceased soldiers from our national cemeteries in France, Belgium, and England; to the Committee on Military Affairs.

7532. Also, petition calling upon Congress to grant free transportation to the Gold Star mothers to visit the graves of their sons in France, Belgium, and England; to the Committee on Interstate and Foreign Affairs.

7533. Also, petition of National Disabled Soldiers' League (Inc.), petitioning Congress to grant permission to institute an action in the circuit court to contest the legality of the decision

of the legal council of the United States Veterans' Bureau which ruled that the bonuses paid disabled men and deducted by the Veterans' Bureau from their training allowances should not be refunded; to the Committee on Interstate and Foreign Commerce.

7534. By Mr. RAKER: Petition of F. T. Robson, president Tehama County Farm Bureau, Red Bluff, Calif., indorsing and urging passage of farm credit legislation; also California Wool Growers' Association, San Francisco, Calif., urging passage of the Lenroot-Anderson and Capper farm credit legislation; to the Committee on Banking and Currency.

7535. Also, petition of J. L. Spratt, of Mahnomen, Minn., relative to relief for the Chippewa Indians of the State of Minnesota; to the Committee on Indian Affairs.

7536. By Mr. ROUSE: Petition of 309 citizens of Campbell County, Ky., protesting against the enactment of any legislation toward the change of the present immigration laws that will permit admission of aliens other than provided by present laws; to the Committee on Immigration and Naturalization.

7537. By Mr. SNYDER: Petition of Willard K. Bissel and others, of Waterville, N. Y., favoring the abolishment of the tax on firearms; to the Committee on Ways and Means.

7538. By Mr. TAGUE: Petition of Mazzini Club, of Boston, Mass., opposing an amendment to the immigration law discriminating against the Italian race; to the Committee on Immigration and Naturalization.

7539. By Mr. TINKHAM: Petition of Assyrian Societies of Greater Boston, Mass., asking that the benefits of the immigration law be extended to the Assyrian refugees; to the Committee on Immigration and Naturalization.

7540. By Mr. YOUNG: Petition of Charles Serr and others, of Upham, N. Dak., urging Congress to pass joint resolution to extend immediate relief to the people of the German and Austrian Republics; to the Committee on Foreign Affairs.

7541. Also, petition of the Central Cooperative Commission Association of St. Paul, Minn., urging such amendments to the packers and stockyards act as will result in a better and closer supervision of all marketing agencies and the removal of all discriminations against cooperative associations; to the Committee on Agriculture.

7542. By Mr. ZIHLMAN: Petition of citizens of Cumberland, Md., protesting against Sunday bills pending in Congress for the District of Columbia; to the Committee on the District of Columbia.