In sec. 31, T. 28 S., R. 26 E., about 100 acres were omitted, according to the plat of survey approved September 30, 1850. There are no deficiencies in this township, and the old survey of the remainder of the township is fairly accurate. The claims to the area omitted from the old surveys range from small lots in the Hamilton town site to large areas of highly improved land which have been settled for many years. It appears from the record now before the department that the improvements on these lands have been made in entire good faith.

An official survey of the above-described areas has been made in order to provide a proper legal basis for their disposal, but the plats have not as yet been completed. The plats when completed, however, will show all lands erroneously omitted from the original surveys of these townships and will show in addition the extent of settlement and improvement made thereon by individuals now in possession.

The bill is identical with the draft submitted by the department to Hon. HERBERT J. DRANE, under date of December 22, 1922, and I recommend that it be enacted into law in order to provide a proper remedy for those who have been misled by the erroneous Government surveys.

Very truly yours,

HUBERT WORK.

In consequence of all of which the committee recommends passage of this bill.

EXECUTIVE SESSION

Mr. CURTIS. I renew my motion that the Senate proceed to the consideration of executive business.

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After five minutes spent in executive session the doors were reopened, and (at 4 o'clock and 20 minutes p. m.) the Senate, under the order previously entered, took a recess until Monday, February 23, 1925, at 12 o'clock meridian.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 21 (legislative day of February 17), 1925

PURCHASING AGENT, POST OFFICE DEPARTMENT

Thomas L. Degnan to be purchasing agent.

POSTMASTERS

ALABAMA

Allie O. York, Midland City.
Arthur W. Smith, Shawmut.

CALIFORNIA

Pliny M. Arnold, Carlsbad.
Denver C. Jamerson, Cottonwood.
Irma J. Gallmann, Pinedale.
Claude C. Hayes, Salida.

GEORGIA

Pearl Warren, Abbeville.
Essie T. Patterson, Byromville.
John L. Dorris, Douglasville.
Fair Durden, Graymont.
Robert Turner, Jasper.
James D. Lane, Monticello.

IDAHO

Edgar H. Taylor, Juliaetta.
Haly C. Kunter, Ririe.

IOWA

Boyd B. Wade, Woodward.

KANSAS

Clara O. Cutbirth, Silver Lake.

KENTUCKY

Virginia M. Spencer, Garrett.

LOUISIANA

Ruby M. Ivey, Benton.
Joseph C. Ballay, Buras.

MARYLAND

Roland M. White, Princess Anne.

MICHIGAN

Charles J. Larson, Ironwood.

MINNESOTA

Ernest S. Mariette, Oak Terrace.

MISSISSIPPI

Thomas J. Davis, Baldwyn.
Thomas W. Maxwell, Canton.
Eppie R. Baker, Duck Hill.
John E. Nordan, Forest.
George T. Hallas, Hazlehurst.
Zilpha L. Killam, Hickory.
Walter E. Dreaden, Lambert.
James L. Cooper, Maben.
Opie C. Grenn, Norfield.
Jeff L. Barrow, Pelahatchee.
Davis Staples, Stewart.

MISSOURI

Gustav F. Duensing, Freeman.

MONTANA

Ovid S. Draper, Bonner.

NEBRASKA

Nora G. Johnson, Big Spring.
Maurice S. Groat, Inavale.

NEW JERSEY

William G. Wallis, Florence.

OKLAHOMA

Belle Moulton, Earlsboro.

PENNSYLVANIA

James W. McCurdy, Jackson Center.

SOUTH CAROLINA

Ellen M. Williamson, Norway.
Herbert O. Jones, Salley.

WISCONSIN

Edwin J. Pynn, Hartland.
John A. Dysland, Mount Horeb.
Ralph H. Tolford, Thorp.
Louis A. Meininger, Waukesha.
Robert R. Porter, Wheeler.

HOUSE OF REPRESENTATIVES

SATURDAY, *February 21, 1925*

The House met at 11 o'clock a. m.

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

Hear our prayer, O Lord, and give ear unto our supplication, for we would seek the shadow of Thy holy presence. We are Thine by creation and redemption, and all mortals over whom the skies bend in solemn silence are within the folds of the Father's arms. The Lord God bless, direct, and endow with understanding the officers and Members of this Chamber. May goodness and truth always be defended against the evil. The things we can not help may we leave to Thee without anxiety and unhappy contemplation, for our times are in Thine hands. Amen.

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

LEAVE OF ABSENCE

Mr. MADDEN. Mr. Speaker, I ask unanimous consent for leave of absence of my colleague, Mr. FULLER, who is sick in bed.

The SPEAKER. Without objection the request will be granted.

There was no objection.

MIGRATORY BIRD BILL

The SPEAKER. The unfinished business is the migratory game refuge bill, of which the Clerk will read the title.

The Clerk read as follows:

A bill (H. R. 745) for the establishment of migratory-bird refuges to furnish in perpetuity homes for migratory birds, the establishment of public shooting grounds to preserve the American system of free shooting, the provision of funds for establishing such areas, and the furnishing of adequate protection for migratory birds, and for other purposes.

The SPEAKER. The question is on the third reading of the bill.

The bill was ordered to be read a third time, and was read the third time.

Mr. KINCHELOE. Mr. Speaker, I offer a motion to recommit, which if carried will cut out the license section of the bill and prohibit shooting.

The Clerk read the motion to recommit, as follows:

Motion to recommit offered by Mr. KINCHELOE: I move to recommit this bill to the Committee on Agriculture with instructions to report the same back immediately with the following amendments: On page 5, line 1, after the word "act," strike out the rest of section and

insert the following: "and that no person shall take any migratory bird or nest or egg of such bird on any such migratory refuges"; and strike out sections 7, 8, 9, 10, 11, and 12.

The SPEAKER. The question is on the motion to recommit.

The question was taken; and on a division (demanded by Mr. KINCHELOE) there were 20 ayes and 27 noes.

Mr. KINCHELOE. Mr. Speaker, I object to the vote and make the point that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The question was taken; and there were—yeas 119, nays 198, answered "present" 2, not voting 112, as follows:

[Roll No. 78]

YEAS—119

Abernethy	Crosser	Jones	Richards
Ackerman	Davis, Tenn.	Kent	Robsion, Ky.
Allgood	Deal	Kincheloe	Romjue
Almon	Dickinson, Mo.	LaGuardia	Rubey
Andrew	Doughton	Lanham	Sanders, Tex.
Arnold	Drewry	Lankford	Sandlin
Aswell	French	Larsen, Ga.	Schafer
Bankhead	Fulmer	Lazaro	Shallenberger
Barkley	Gambrill	Leatherwood	Sites
Bell	Gardner, Ind.	Lowrey	Smithwick
Black, Tex.	Garrett, Tenn.	Lozier	Stedman
Bland	Garrett, Tex.	Lyon	Stengle
Blanton	Gasque	McDuffie	Stevenson
Bowling	Gilbert	McKeown	Swank
Box	Goldsborough	McReynolds	Thomas, Ky.
Boyce	Greenwood	Major, Ill.	Thomas, Okla.
Brand, Ga.	Hammer	Martin	Tucker
Briggs	Harrison	Moore, Ga.	Tydings
Browning	Hayden	Morehead	Upshaw
Bulwinkle	Hill, Ala.	Morris	Vinson, Ga.
Busby	Hill, Md.	Oldfield	Vinson, Ky.
Byrnes, S. C.	Hill, Wash.	Park, Ga.	Watkins
Byrns, Tenn.	Hooker	Parks, Ark.	Wefald
Canfield	Howard, Okla.	Peery	Williams, Ill.
Cleary	Huddleston	Pou	Wilson, Ind.
Collier	Hull, Tenn.	Quin	Wilson, La.
Colton	Jeffers	Ramseyer	Wingo
Connally, Tex.	Johnson, Ky.	Rankin	Woodrum
Cook	Johnson, Tex.	Rayburn	Wright
Crisp	Johnson, Wash.	Reed, Ark.	

NAYS—198

Aldrich	Eagan	Longworth	Sabath
Allen	Elliott	McClintic	Sanders, Ind.
Anderson	Evans, Iowa	McFadden	Sanders, N. Y.
Anthony	Evans, Mont.	McKenzie	Scott
Bacon	Fairchild	McLaughlin, Mich.	Sears, Fla.
Barbour	Fairfield	McLaughlin, Nebr.	Sears, Nebr.
Beck	Faust	McLeod	Shreve
Beers	Favrot	McSwain	Simmons
Bixler	Fenn	McSweeney	Sinclair
Black, N. Y.	Fish	MacGregor	Smith
Bloom	Fisher	MacLafferty	Snell
Boles	Fleetwood	Madden	Speaks
Browne, N. J.	Foster	Magee, N. Y.	Sproul, Ill.
Browne, Wis.	Frear	Magee, Pa.	Sproul, Kans.
Brumm	Free	Major, Mo.	Stalker
Buchanan	Geran	Manlove	Strong, Kans.
Burdick	Gibson	Mapes	Strong, Pa.
Burtness	Gifford	Mead	Summers, Wash.
Burton	Green	Merritt	Swing
Cable	Griest	Michener	Swoope
Campbell	Hadley	Miller, Ill.	Taber
Cannon	Hall	Miller, Wash.	Taylor, Colo.
Carew	Hardy	Minahan	Taylor, Tenn.
Carter	Hastings	Mooney	Taylor, W. Va.
Casey	Haugen	Moores, Ind.	Thatcher
Chindblom	Hawes	Morgan	Tillman
Christopherson	Hawley	Morin	Tilson
Clague	Hickey	Morrow	Timberlake
Clancy	Hoch	Murphy	Tincher
Clark, Fla.	Holaday	Nelson, Me.	Treadway
Clarke, N. Y.	Howard, Nebr.	Newton, Minn.	Underwood
Cole, Iowa	Hudson	Newton, Mo.	Vaile
Cole, Ohio	Hudspeth	Nolan	Vestal
Collins	Hull, Morton D.	O'Connell, N. Y.	Voigt
Connery	Hull, William E.	O'Connell, R. I.	Wainwright
Cooper, Ohio	Jacobstein	O'Connor, La.	Wason
Cooper, Wis.	James	O'Sullivan	Watres
Corning	Johnson, S. Dak.	Paige	Watson
Cramton	Kearns	Patterson	Weaver
Croll	Keller	Purnell	White, Me.
Crowther	Ketcham	Ragon	Williams, Mich.
Cummings	King	Rainey	Williams, Tex.
Darrow	Knutson	Raker	Williamson
Dempsey	Kopp	Ransley	Winslow
Denison	Kurtz	Rathbone	Winter
Dickinson, Iowa	Kvale	Reece	Woodruff
Dowell	Lampert	Reed, N. Y.	Wyant
Drane	Lea, Calif.	Reid, Ill.	Zihlman
Driver	Leach	Robinson, Iowa	
Dyer	Leavitt	Rosenbloom	

ANSWERED "PRESENT"—2

Cullen	Montague

NOT VOTING—112

Ayres	Berger	Buckley	Curry
Bacharach	Boylan	Butler	Dallinger
Beedy	Brand, Ohio	Celler	Davey
Begg	Britten	Connolly, Pa.	Davis, Minn.
Dickstein	Kendall	O'Brien	Spearing
Dominick	Kerr	O'Connor, N. Y.	Steagall
Doyle	Kiess	Oliver, Ala.	Stephens
Edmonds	Kindred	Oliver, N. Y.	Sullivan
Fitzgerald	Kunz	Parker	Sumners, Tex.
Fredericks	Langley	Peavey	Sweet
Freeman	Larson, Minn.	Perkins	Tague
Frothingham	Lee, Ga.	Perlman	Temple
Fulbright	Lehlbach	Phillips	Thompson
Fuller	Lilly	Porter	Tinkham
Funk	Lindsay	Prall	Underhill
Gallivan	Lineberger	Quayle	Vare
Garber	Linthicum	Reed, W. Va.	Vincent, Mich.
Garner, Tex.	Logan	Roach	Ward, N. C.
Glatfelter	Luce	Rogers, Mass.	Ward, N. Y.
Graham	McNulty	Rogers, N. H.	Weller
Griffin	Mansfield	Rouse	Welsh
Guyer	Michaelson	Salmon	Wertz
Hersey	Milligan	Schall	White, Kans.
Hull, Iowa	Mills	Schneider	Wilson, Miss.
Humphreys	Moore, Ill.	Seger	Wolff
Johnson, W. Va.	Moore, Ohio	Sherwood	Wood
Jost	Moore, Va.	Sinnott	Wurzbach
Kelly	Nelson, Wis.	Snyder	Yates

So the motion to recommit was rejected.

The following pairs were announced:

On the vote:

Mr. Wilson of Mississippi (for) with Mr. Gallivan (against).
Mr. Moore of Virginia (for) with Mr. Butler (against).
Mr. Humphrey (for) with Mr. Lineberger (against).
Mr. Montague (for) with Mr. Dallinger (against).
Mr. Mansfield (for) with Mr. Cullen (against).
Mr. Curry (for) with Mr. Mills (against).

General pairs:

Mr. Begg with Mr. Celler.
Mr. Wood with Mr. Davey.
Mr. Moore of Ohio with Mr. Boylan.
Mr. Seger with Mr. Prall.
Mr. Graham with Mr. Steagall.
Mr. Sweet with Mr. Lilly.
Mr. Kiess with Mr. Jost.
Mr. Kendall with Mr. Sherwood.
Mr. Perkins with Mr. Garner of Texas.
Mr. Freeman with Mr. Ayres.
Mr. Parker with Mr. Milligan.
Mr. Lehlbach with Mr. Buckley.
Mr. Vare with Mr. Oliver of New York.
Mr. Bacharach with Mr. Fulbright.
Mr. Luce with Mr. Rouse.
Mr. Welsh with Mr. Griffin.
Mr. Connolly of Pennsylvania with Mr. Sullivan.
Mr. Fitzgerald with Mr. Kindred.
Mr. Stephens with Mr. O'Connor of New York.
Mr. Fredericks with Mr. Dominick.
Mr. Thompson with Mr. Quayle.
Mr. Rogers of Massachusetts with Mr. Oliver of Alabama.
Mr. Phillips with Mr. Tague.
Mr. Michaelson with Mr. Kerr.
Mr. Wurzbach with Mr. Sumners of Texas.
Mr. Davis of Minnesota with Mr. O'Brien.
Mr. Frothingham with Mr. Weller.
Mr. Hersey with Mr. Lee of Georgia.
Mr. Sinnott with Mr. Ward of North Carolina.
Mr. Porter with Mr. Kunz.
Mr. Yates with Mr. Johnson of West Virginia.
Mr. Wertz with Mr. Lindsay.
Mr. Beedy with Mr. McNulty.
Mr. Garber with Mr. Linthicum.
Mr. Hull of Iowa with Mr. Salmon.
Mr. Perlman with Mr. Doyle.
Mr. Britten with Mr. Rogers of New Hampshire.
Mr. Edmonds with Mr. Logan.
Mr. Temple with Mr. Wolff.
Mr. White of Kansas with Mr. Spearing.
Mr. Peavey with Mr. Berger.
Mr. Brand of Ohio with Mr. Dickstein.

Mr. CULLEN. Mr. Speaker, I voted "nay." I am paired with Mr. MANSFIELD, the gentleman from Texas. I wish to withdraw my vote and answer "Present."

Mr. MONTAGUE. Mr. Speaker, I am paired with the gentleman from Massachusetts, Mr. DALLINGER; if he were present, he would vote "no" and I would vote "yes."

The result of the vote was announced as above recorded.

The SPEAKER. The question is on the passage of the bill.

Mr. GARRETT of Tennessee. And on that, Mr. Speaker, I ask for the yeas and nays.

The yeas and nays were ordered.

The question was taken; and there were—yeas 212, nays 113, answered "present" 2, not voting 104, as follows:

[Roll No. 79]

YEAS—212

Allen	Bloom	Butler	Clark, Fla.
Allgood	Boles	Cable	Clarke, N. Y.
Anderson	Browne, N. J.	Campbell	Cleary
Anthony	Browne, Wis.	Cannon	Cole, Iowa
Bacon	Brumm	Carew	Cole, Ohio
Barbour	Buchanan	Casey	Connery
Beck	Bulwinkle	Chindblom	Cooper, Ohio
Beers	Burdick	Christopherson	Cooper, Wis.
Bixler	Burtness	Clague	Corning
Black, N. Y.	Burton	Clancy	Cramton

Croll	Howard, Nebr.	Michener	Smith
Crowther	Howard, Okla.	Miller, Ill.	Smithwick
Cummings	Hudson	Minahan	Snell
Darrow	Hudspeth	Mooney	Snyder
Davis, Minn.	Hull, Iowa	Moores, Ind.	Speaks
Dempsey	Hull, William E.	Morgan	Sproul, Ill.
Dickinson, Iowa	Jacobstein	Morin	Stalker
Dowell	James	Morrow	Stephens
Drane	Jeffers	Murphy	Strong, Kans.
Driver	Johnson, S. Dak.	Nelson, Me.	Strong, Pa.
Dyer	Kearns	Newton, Minn.	Swing
Eagan	Keller	Newton, Mo.	Swoope
Elliott	Ketcham	Nolan	Taber
Evans, Iowa	King	O'Connell, N. Y.	Taylor, Colo.
Evans, Mont.	Knutson	O'Connell, R. I.	Taylor, Tenn.
Fairchild	Kopp	O'Connor, La.	Taylor, W. Va.
Faust	Kurtz	O'Sullivan	Thatcher
Favrot	Kvale	Oliver, Ala.	Thompson
Fenn	Lampert	Paige	Tillman
Fisher	Lea, Calif.	Patterson	Tilson
Fleetwood	Leach	Purnell	Timberlake
Foster	Leavitt	Ragon	Tincher
Frear	Lineberger	Rainey	Treadway
Free	Longworth	Raker	Underwood
Funk	Lozier	Ransley	Valle
Geran	Luce	Rathbone	Vestal
Gibson	McClintic	Reece	Volgt
Gifford	McFadden	Reed, N. Y.	Wainwright
Glatfelter	McKeown	Reid, Ill.	Wason
Green	McLaughlin, Mich.	Robinson, Iowa	Watres
Griest	McLaughlin, Nebr.	Rosenbloom	Watson
Hadley	McLeod	Sabath	Weaver
Hall	McSweeney	Sanders, Ind.	White, Me.
Hammer	MacGregor	Sanders, N. Y.	Williams, Mich.
Hardy	MacLafferty	Schafer	Williams, Tex.
Hastings	Madden	Schneider	Williamson
Haugen	Magee, N. Y.	Scott	Wilson, Ind.
Hawes	Magee, Pa.	Sears, Fla.	Winslow
Hayden	Major, Mo.	Sears, Nebr.	Winter
Hersey	Manlove	Shreve	Woodruff
Hickey	Mapes	Simmons	Wyant
Hill, Ala.	Mead	Sinclair	Yates
Holaday	Merritt	Sites	Zihlman

NAYS—113

Abernethy	Denison	LaGuardia	Rubey
Ackerman	Dickinson, Mo.	Lanham	Sanders, Tex.
Almon	Doughton	Lankford	Sandlin
Andrew	Drewry	Larsen, Ga.	Shallenberger
Arnold	French	Lazaro	Sinnott
Aswell	Fulmer	Leatherwood	Stedman
Bankhead	Gambrill	Logan	Stengle
Barkley	Gardner, Ind.	Lowrey	Stevenson
Bell	Garrett, Tenn.	Lyon	Summers, Wash.
Black, Tex.	Garrett, Tex.	McDuffie	Swank
Bland	Gasque	McReynolds	Thomas, Ky.
Blanton	Gilbert	Major, Ill.	Thomas, Okla.
Bowling	Goldsborough	Martin	Tinkham
Box	Greenwood	Milligan	Tucker
Boyce	Harrison	Moore, Ga.	Tydings
Brand, Ga.	Hawley	Morehead	Upshaw
Briggs	Hill, Md.	Morris	Vinson, Ky.
Browning	Hill, Wash.	Oldfield	Vinson, Ga.
Busby	Hoch	Park, Ga.	Watkins
Byrnes, S. C.	Hooker	Parks, Ark.	Wefald
Byrns, Tenn.	Huddleston	Peery	Williams, Ill.
Canfield	Hull, Tenn.	Pou	Wilson, La.
Collier	Hull, Morton D.	Quin	Wilson, Miss.
Collins	Humphreys	Ramseyer	Wingo
Colton	Johnson, Ky.	Rankin	Woodrum
Connally, Tex.	Johnson, Tex.	Rayburn	Wright
Cook	Johnson, Wash.	Reed, Ark.	
Crisp	Kent	Robsion, Ky.	
Deal	Kincheloe	Romjue	

ANSWERED "PRESENT"—2

Cullen	Montague

NOT VOTING—104

Aldrich	Freeman	McKenzie	Rogers, N. H.
Ayres	Frothingham	McNulty	Rouse
Bacharach	Fulbright	McSwain	Salmon
Beedy	Fuller	Mansfield	Schall
Begg	Gallivan	Michaelson	Seger
Berger	Garber	Miller, Wash.	Sherwood
Boylan	Garner, Tex.	Mills	Spearing
Brand, Ohio	Graham	Moore, Ill.	Sproul, Kans.
Britten	Griffin	Moore, Ohio	Steagall
Buckley	Guyer	Moore, Va.	Sullivan.
Carter	Johnson, W. Va.	Nelson, Wis.	Sumners, Tex.
Celler	Jones	O'Brien	Sweet
Connolly, Pa.	Jost	O'Connor, N. Y.	Tague
Crosser	Kelly	Oliver, N. Y.	Temple
Curry	Kendall	Parker	Underhill
Dallinger	Kerr	Peavey	Vare
Davey	Kiess	Perkins	Vincent, Mich.
Davis, Tenn.	Kindred	Perlman	Ward, N. Y.
Dickstein	Kunz	Phillips	Ward, N. C.
Dominick	Langley	Porter	Weller
Doyle	Larson, Minn.	Prall	Welsh
Edmonds	Lee, Ga.	Quayle	Wertz
Fairfield	Lehlbach	Reed, W. Va.	White, Kans.
Fish	Lilly	Richards	Wolff
Fitzgerald	Lindsay	Roach	Wood
Fredericks	Linthicum	Rogers, Mass.	Wurzbach

So the bill was passed.

The Clerk announced the following additional pairs:

On the vote:

Mr. Gallivan (for) with Mr. Moore of Virginia (against).
Mr. Dallinger (for) with Mr. Montague (against).
Mr. Cullen (for) with Mr. Mansfield (against).
Mr. Mills (for) with Mr. Curry (against).

Until further notice:

Mr. Freeman with Mr. Ayres
Mr. Aldrich with Mr. Johnson of West Virginia.
Mr. Miller of Washington with Mr. Quayle.
Mr. Underhill with Mr. Rouse.
Mr. Fish with Mr. Jones.
Mr. Kelly with Mr. Carter.
Mr. Parker with Mr. Lee of Georgia.
Mr. Rogers of Massachusetts with Mr. O'Connor of New York.
Mr. Fuller with Mr. Richards.
Mr. Larson of Minnesota with Mr. Salmon.
Mr. Sproul of Kansas with Mr. Crosser.
Mr. Nelson of Wisconsin with Mr. McSwain.
Mr. Vincent of Michigan with Mr. Davis of Tennessee.
Mr. Ward of New York with Mr. O'Brien.
Mr. Roach with Mr. Ward of North Carolina.

Mr. FREEMAN. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. FREEMAN. No.

The SPEAKER. The gentleman does not qualify.

Mr. CARTER. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening when his name was called?

Mr. CARTER. I was present, but did not know what the question was and I have found out since.

The SPEAKER. The gentleman does not qualify.

Mr. CARTER. I was present and listening.

The SPEAKER. Did the gentleman hear his name?

Mr. CARTER. Yes, sir; but I did not know what the vote was on.

The SPEAKER. That does not qualify the gentleman. The Chair will explain. The theory on which gentlemen can vote is that the name was not called, that by some mistake the Clerk did not call the gentleman's name. Now, the gentleman says his name was called but he did not vote.

Mr. CARTER. My name was called but——

The SPEAKER. The Chair thinks it is extraordinary that so many gentlemen can be present and listening and not hear their names.

Mr. CARTER. My reason was I did not know exactly what the House was voting on.

The SPEAKER. The gentleman does not qualify.

Mr. AYRES. Mr. Speaker, I desire to vote.

The SPEAKER. Was the gentleman present and listening?

Mr. AYRES. I was not. I was in conference and I would desire to vote "present."

The SPEAKER. There is no rule that allows that.

Mr. AYRES. So, then, I am not entitled to vote even "present"?

The SPEAKER. No.

Mr. AYRES. I was in conference at the time the vote was going on, and if I had been present I should have been very glad to have voted "aye."

Mr. JONES. Mr. Speaker, I was not present.

The SPEAKER. The gentleman does not qualify.

Mr. CULLEN. Mr. Speaker, I have a pair with the gentleman from Texas, Mr. MANSFIELD, and desire to answer "present."

The SPEAKER. The gentleman has stated that before.

Mr. MONTAGUE. Mr. Speaker, I voted "no." I desire to withdraw my vote and answer "present," because I have a pair with the gentleman from Massachusetts, Mr. DALLINGER.

The result of the vote was announced as above recorded.

On motion of Mr. ANTHONY, a motion to reconsider the vote by which the bill was passed was laid on the table.

Mr. WEFALD. Mr. Speaker, I ask unanimous consent to extend my remarks on this bill.

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

Mr. WEFALD. Mr. Speaker, this bill comes from the Committee on Agriculture and is reported out by a special rule from the Rules Committee; it is styled by the spokesman for the Republican majority on that committee a measure for the benefit of the farmers. He proves this by quoting a plank in the last Democratic platform which the best Democrats in the House did not even know was there. The gentleman from Kansas [Mr. TINCHER] with great gusto chided the Democrats for not knowing that their platform contained the following plank:

> The conservation of migratory birds, the establishment of game reserves, and protection and conservation of wild life is of importance to agriculture as well as to our sportsmen.

This is the only plank in any political platform bearing upon this question, and the only one that offers any excuse for passing this bill out as a measure for the benefit of the farmers.

Of course no other member of the committee considers this measure as of any special benefit to the farmers, but it is, indeed, remarkable that this bill shall be brought out from this committee by a special rule while real farm legislation from this committee is slumbering peacefully.

It is charged by the opponents of this bill that it is a sportsmen's bill. I have no grudge against sportsmen, but I am, in my work here, most concerned with the problems of the common herd of men, the men that ask no special favors either in a financial way or the extension of opportunities and privileges for greater enjoyments and recreation, such as are afforded in the creation and extensions of parks, playgrounds, and hunting grounds.

I am strongly in favor of anything that will conserve our wild life; I supported the upper Mississippi wild-life refuge proposition, and shall support like legislation in the future; but this bill is essentially a measure to establish shooting grounds, where the birds may be killed that we are so much concerned about protecting. Then the bill provides for a Federal license system which will in time necessitate a big and extensive machine to enforce that provision. This will conflict with State laws, and may in many cases lead to the infliction of double punishment. I am opposed to the establishment of any new commissions, boards, or bureaus, with its attendant horde of clerks and inspectors. It has been said in this debate that there are 6,000,000 hunters in this country, and if they, as this bill provides, be registered in Washington, we may in time need as big a force of clerks to handle this business as has been employed in the handling of the Veterans' Bureau. We should not lightly pass laws that are easily broken and hard to enforce; that breeds disrespect for law; our Federal courts are now swamped with cases that they can not take care of. In the United States district courts in my State—Minnesota—there are now pending 949 civil cases, 430 criminal cases, and 1,453 bankruptcy cases; for the year 1924 there were in that State handled in State courts 2,070 violations of the State game laws. Out of 1,920,735 game birds killed in that State in the year 1923, according to the report of the game and fish commissioner, 1,574,148 were migratory birds. With a double penalty for the killing of such birds unlawfully, I can see where the Federal courts would be still further swamped with work. What I have cited here refers only to one State, and there are 47 other States in the Union. If all States enforce game laws as stringently as does my State, there should be no need of a double set of game laws and enforcement system. Minnesota has an almost Prussian system of enforcement of the game laws. I would not care to have more game wardens around than we now have there.

The shooting grounds are not American institutions; their origin is distinctly European and medieval. In England, where obtains a caste system based upon birth and wealth, shooting grounds are the playgrounds of the highborn. In the English game preserves and shooting grounds it was said to be safer to shoot a man than a hare. In many continental countries of Europe the shooting of game is leased out to the rich and the peasants are severely punished for violations of the game laws. Our money aristocracy has its private shootings grounds, and if this bill becomes a law many of the game preserves to be established under it will surely be laid close to such private shooting grounds where it is possible to do so. The Government would then help to raise the game for the idle rich to shoot and the shooting sport would in time be confined within the sacred precincts of the wealthy sportsmen. But even where the shooting grounds would be public the one who has the swiftest automobile would get there first and the highest-priced guns do the most deadly execution; besides, a hunter to appear on such hunting ground must have a regulation costume and outfit or be stared off the grounds. The old American way was not thus. I would favor strongly a law to forbid the establishment of either public or private shooting grounds, especially private ones. Hunting is the great pastime of the wealthy and of savages. With the savage hunting is work and a means to an existence. We pass laws that men of wealth and leisure may enjoy as pleasure the lust of killing. Shooting with rapid-fire, high-power guns is nothing but murder with many a sportsman. Dogs, decoys, and all the modern inventions that now go to make hunting the seductive pastime it is should not be allowed to be used by the hunter; then there would not be any need of establishing game preserves. Let us give all wild life a rest for a few years.

I never saw any but farmers and comparatively poor men arrested and convicted for violations of the game laws. I never saw a man in up-to-date hunting regalia in custody of a game warden. Shooting grounds will be a nuisance to farmers living adjacent to them. The location of a game refuge close to a farming community will diminish the value of such farm lands, for game refuges are supposed to be rather worthless lands. Farmers who are unlucky enough to have such refuges and shooting grounds located close to their farms should be compensated the shrinkage in sale value that will follow.

To those who make pathetic appeals to conserve and protect our wild life, I say the best way to protect it is not to kill.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had passed bills of the following titles, in which the concurrence of the House of Representatives was requested.

S. 33. An act making eligible for retirement under certain conditions officers and former officers of the Army or naval service of the United States, other than officers of the Regular Army or Navy, who incurred physical disability in line of duty while in the service of the United States during the World War;

S. 4224. An act to amend section 2 of the act of June 7, 1924 (Public, 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor; and

S. 4317. An act granting the consent of Congress to the county of Jackson, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of Newport, in the county of Jackson, in the State of Arkansas.

The message also announced that the Senate had agreed to the amendment of the House of Representatives to the bill (S. 3173) to provide for the construction of a memorial bridge across the Potomac River from a point near the Lincoln Memorial in the city of Washington to an appropriate point in the State of Virginia, and for other purposes.

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 House of Representatives to the bill (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes.

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. 9634) to provide for the creation, organization, administration, and maintenance of a Naval Reserve and a Marine Corps Reserve.

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. 8522) granting to certain claimants the preference right to purchase unappropriated public lands.

The message also announced that the Senate had insisted upon its amendments to the bill (H. R. 7687) conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any claims which the Assiniboine Indians may have against the United States, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. HARRELD, Mr. MCNARY, and Mr. ASHURST as the conferees on the part of the Senate.

The message also announced that the Senate had passed without amendment bills of the following titles:

H. R. 11703. An act granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of St. Charles, in the county of Arkansas, in the State of Arkansas; and

H. R. 11825. An act to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio.

The message also announced that the Senate had passed the following concurrent resolution:

Senate Concurrent Resolution 33

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

The message also announced that the Senate had insisted upon its amendment to the bill (H. R. 9535) authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to the public vessels belonging to the United States, and for other purposes, disagreed to by the House of Representatives, had agreed to the conference

asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. CAPPER, Mr. SPENCER, and Mr. BAYARD as the conferees on the part of the Senate.

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. 11505) entitled "An act making appropriations for the Executive Office and sundry independent executive bureaus, boards, commissions, and offices for the fiscal year ending June 30, 1926, and for other purposes."

SENATE BILLS REFERRED

Under clause 2 of Rule XXIV, Senate bills of the following titles were taken from the Speaker's table and referred to their appropriate committees, as indicated below:

S. 33. An act making eligible for retirement under certain conditions officers and former officers of the Army or naval service of the United States, other than officers of the Regular Army or Navy, who incurred physical disability in line of duty while in the service of the United States during the World War; to the Committee on World War Veterans' Legislation.

S. 3153. An act to authorize the construction of a nurses' home for the Columbia Hospital for Women and Lying-in Asylum; to the Committee on the District of Columbia.

S. 4224. An act to amend section 2 of the act of June 7, 1924 (Public, 270), entitled "An act to provide for the protection of forest lands, for the reforestation of denuded areas, for the extension of national forests, and for other purposes," in order to promote the continuous production of timber on lands chiefly suitable therefor; to the Committee on Agriculture.

S. 4317. An act granting the consent of Congress to the county of Jackson, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of Newport, in the county of Jackson, in the State of Arkansas; to the Committee on Interstate and Foreign Commerce.

ENROLLED BILLS PRESENTED TO THE PRESIDENT FOR HIS APPROVAL

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that this day they had presented to the President of the United States for his approval the following bills:

H. R. 9724. An act to authorize an appropriation for the care, maintenance, and improvement of the burial grounds containing the remains of Zachary Taylor, former President of the United States, and of the memorial shaft erected to his memory, and for other purposes;

H. R. 11214. An act to amend an act regulating the height of buildings in the District of Columbia, approved June 1, 1910, as amended by the act of December 30, 1910;

H. R. 11030. An act to revive and reenact the act entitled "An act authorizing the construction, maintenance, and operation of a private drawbridge over and across Lock No. 4 of the canal and locks, Willamette Falls, Clackamas County, Oreg.," approved May 31, 1921;

H. R. 10596. An act to extend the times for commencing and completing the construction of a dam across the Red River of the North;

H. R. 10590. An act authorizing the Secretary of the Interior to sell certain land to provide funds to be used in the purchase of a suitable tract of land to be used for cemetery purposes for the use and benefit of members of the Kiowa, Comanche, and Apache Tribes of Indians;

H. R. 10412. An act granting the consent of Congress to the Pittsburgh, Cincinnati, Chicago & St. Louis Railroad Co., its successors and assigns, to construct a bridge across the Little Calumet River;

H. R. 10411. An act granting desert-land entrymen an extension of time for making final proof;

H. R. 10348. An act authorizing the Chief of Engineers of the United States Army to accept a certain tract of land from Mrs. Anne Archbold donated to the United States for park purposes;

H. R. 10143. An act to exempt from cancellation certain desert-land entries in Riverside County, Calif.;

H. R. 9700. An act to authorize the Secretary of State to enlarge the site and erect buildings thereon for the use of the diplomatic and consular establishments of the United States in Tokyo, Japan;

H. R. 9688. An act granting public lands to the city of Red Bluff, Calif., for a public park;

H. R. 9537. An act to authorize the Secretary of Commerce to transfer to the city of Port Huron, Mich., a portion of the Fort Gratiot Lighthouse Reservation, Mich.;

H. R. 9495. An act granting to the State of Oregon certain lands to be used by it for the purpose of maintaining and operating thereon a fish hatchery;

H. R. 9160. An act authorizing certain Indian tribes and bands, or any of them, residing in the State of Washington, to submit to the Court of Claims certain claims growing out of treaties and otherwise;

H. R. 9028. An act to authorize the addition of certain lands to the Whitman National Forest;

H. R. 4114. An act authorizing the construction of a bridge across the Colorado River near Lee Ferry, Ariz.;

H. R. 2716. An act to amend paragraph 20 of section 24 of the Judicial Code as amended by act of November 23, 1921, entitled "An act to reduce and equalize taxation, to provide revenue, and for other purposes";

H. R. 3927. An act granting public lands to the town of Silverton, Colo., for public-park purposes;

H. R. 2720. An act to authorize the sale of lands in Pittsburgh, Pa.;

H. R. 2689. An act to consolidate certain lands within the Snoqualmie National Forest;

H. R. 2419. An act for the relief of Michael Curran;

H. R. 166. An act authorizing the Secretary of the Interior to issue patent to the city of Redlands, Calif., for certain lands, and for other purposes;

H. R. 27. An act to compensate the Chippewa Indians of Minnesota for timber and interest in connection with the settlement for the Minnesota National Forest;

H. R. 6436. An act for the relief of Isidor Steger;

H. R. 5612. An act to authorize the addition of certain lands to the Mount Hood National Forest;

H. R. 5170. An act providing for an exchange of lands between Anton Hiersche and the United States in connection with the North Platte Federal irrigation project;

H. R. 4825. An act for the establishment of industrial schools for Alaskan native children, and for other purposes;

H. R. 6853. An act to relinquish title of the United States to the land in the preemption claim of William Weekley, situate in the county of Baldwin, State of Alabama;

H. R. 6695. An act authorizing the owners of the steamship *Malta Maru* to bring suit against the United States of America;

H. R. 6651. An act to add certain lands to the Umatilla, Wallowa, and Whitman National Forests in Oregon;

H. R. 8410. An act to change the name of Third Place NE. to Abbey Place;

H. R. 8438. An act granting the consent of Congress to the county of Allegheny, Pa., to construct a bridge across the Monongahela River from Cliff Street, McKeesport, to a point opposite in the city of Duquesne;

H. R. 8366. An act to add certain lands to the Santiam National Forest;

H. R. 8333. An act to restore homestead rights in certain cases;

H. R. 8298. An act for the relief of Byron S. Adams;

H. R. 8267. An act for the purchase of land adjoining Fort Bliss, Tex.;

H. R. 8226. An act granting relief to the First State Savings Bank, of Gladwin, Mich.;

H. R. 8169. An act for the relief of John J. Dobbertin;

H. R. 7780. An act for the relief of Fred J. La May;

H. R. 7631. An act for the relief of Charles T. Clayton and others;

H. R. 11952. An act to authorize the exchange of certain patented lands in the Rocky Mountain National Park for Government lands in the park;

H. R. 11668. An act granting consent of Congress to the States of Missouri, Illinois, and Kentucky to construct, maintain, and operate bridges over the Mississippi and Ohio Rivers at or near Cairo, Ill., and for other purposes;

H. R. 11500. An act to amend an act entitled "An act to consolidate national forest lands";

H. R. 11445. An act to amend the national defense act;

H. R. 11255. An act granting the consent of Congress to the Kanawha Falls Bridge Co. (Inc.) to construct a bridge across the Kanawha River at Kanawha Falls, Fayette County, W. Va.;

H. R. 4522. An act to provide for the completion of the topographical survey of the United States; and

H. J. Res. 342. Joint resolution to authorize the appointment of an additional commissioner on the United States Lexington-Concord Sesquicentennial Commission.

CHILD-LABOR AMENDMENT

The SPEAKER laid before the House a communication from the secretary of state of Texas, announcing the rejection by the legislature of that State of the proposed amendment to the Constitution relating to the labor of persons under 18 years of age.

Also, communications from the secretary of state of Georgia and the Governor of South Carolina, announcing the rejection by the legislatures of those States of the proposed amendment to the Constitution relating to the labor of persons under 18 years of age.

RETURN OF A BILL

The SPEAKER. The Chair lays before the House the following communication from the Senate.

The Clerk read as follows:

Ordered, That the House of Representatives be requested to return to the Senate the bill H. R. 7821, entitled "An act to convey to the city of Astoria, Oreg., a certain strip of land in said city."

The SPEAKER. Is there objection? [After a pause.] The Chair hears none.

FEDERAL COOPERATIVE MARKETING ACT

Mr. BURTON. Mr. Speaker, I desire to present a privileged resolution reported from the Committee on Rules.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 451

Resolved, That upon the adoption of this resolution it shall be in order to move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of H. R. 12348, "A bill to create a Federal cooperative marketing board, to provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes."

That after general debate, which shall be confined to the bill and shall continue not to exceed two hours, the time to be equally divided and controlled by those favoring and opposing, the bill shall be read for amendment under the five-minute rule. At the conclusion of the reading of the bill for amendment the committee shall rise and report the bill to the House with such amendments as may have been adopted, and the previous question shall be considered as ordered on the bill and the amendments thereto to final passage without intervening motion except one motion to recommit.

Mr. BLANTON. Mr. Speaker, I make a point of order that on yesterday when a unanimous-consent request was asked by the gentleman from Ohio [Mr. LONGWORTH] for the House to meet at 11 o'clock this morning it was then agreed that an additional hour for general debate was to be added to this rule.

Mr. SNELL. If the gentleman will wait until the opportunity it will be done, but there has been no opportunity up to this time.

Mr. BLANTON. We want an understanding——

Mr. SNELL. It will be done at the proper time.

The SPEAKER. The Chair overrules the point of order.

Mr. BURTON. Mr. Speaker, I shall request at the proper time unanimous consent for an additional hour. I desire to ask if there is any member of the Committee on Rules who desires time in opposition to this rule?

Mr. POU. Mr. Speaker, I will say to the gentleman from Ohio we would like half an hour on this side.

Mr. BURTON. Which, Mr. Speaker, I shall be very glad to yield. Mr. Speaker, I am frank to say that I have not sufficiently examined this bill to express an opinion in favor of it, but the measure comes here under a recommendation of the commission appointed by the President with the request from the President himself that it shall be considered, and with a report from the Committee on Agriculture. This measure is not of the broadest scope. It merely provides for the creation of a Federal cooperative marketing board and for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes. It proposes to set up on a purely voluntary plan the registration for cooperative marketing associations which qualify under the Capper-Volstead act. There is nothing in the bill to compel any cooperative associations to register, and there is nothing which will deprive any association which does not register of any of its rights.

A board is to be constituted consisting of six members, the Secretary of Agriculture to be an ex officio member, and five additional members to be nominated by the President and confirmed by the Senate. The aim of this bill is in accordance with promises, I take it, made by both political parties in their platforms, and has for its object a step in relieving that agricultural depression which was so marked from the year 1920 to the year 1924.

It must be conceded that in the matter of the sale of their products the farmers of the country do not have that same perfect organization nor those advantages which belong to those citizens who are engaged in other enterprises; and for the reasons which I have given the Committee on Rules brings in this resolution.

Mr. Speaker, that is all I desire to say at this time. I reserve the balance of my time, and yield to the gentleman from North Carolina [Mr. POU] one-half hour.

The SPEAKER. The gentleman from North Carolina is recognized for half an hour.

Mr. POU. Mr. Speaker, I yield myself five minutes.

Mr. Speaker, this measure, which it is proposed to consider under the rule, in the judgment of many of those who have examined it, some of them experts, not only will not contribute to the success of cooperative marketing of farm products, but may have the effect of destroying cooperative organizations already in existence. It is proposed to establish a commission of five men whose duty will be to assist in enlarging the agricultural markets of America. Already cooperative marketing has been measurably successful. All these associations ask is to be let alone. It is somewhat difficult to find any representative farm organization which is willing to take a positive stand for the proposed relief measure. Even the proponents of the legislation give it but feeble support. On the other hand, there has been an almost nation-wide protest against the creation of another bureau here in Washington, which may prove to be an obstacle to the success of the great cooperative marketing organizations throughout the Nation already organized and already functioning.

I oppose the rule, Mr. Speaker, and I oppose the so-called relief measure. If this bill is the best answer the majority party can give to that demand throughout the country that some action be taken to relieve the agricultural depression, it is worse than no answer at all. [Applause.]

Mr. Speaker, I reserve the remainder of my time, and yield 10 minutes to the gentleman from Alabama [Mr. BANKHEAD].

The SPEAKER. The gentleman from Alabama is recognized for 10 minutes.

Mr. BANKHEAD. Mr. Speaker and gentlemen of the House, I am in thorough accord with the views just expressed by the ranking member of the Committee on Rules [Mr. POU], not only with reference to this rule but with reference to the legislation it proposes to make possible for us to consider. I represent a district which is very largely agricultural in its nature, and ordinarily I feel impelled as a matter of duty to an agricultural constituency to favor any legislation of a worthy character, within constitutional restraints, that in my judgment as a Representative would promote their material interests; but after an examination of the bill which is soon to be brought in by the Committee on Agriculture, if this rule prevails, I am absolutely unable to find any provision that, in my judgment, from a knowledge of marketing conditions in my section of the country particularly, would be of any material benefit in promoting the prosperity of the farmers of this country.

On that account, and in addition on account of the fact that this bill proposes to establish a new Federal board, which is given rather large powers, I am opposed to the rule and to the bill. It is but another evidence of the apparent tendency to centralize all of the private business functions of the people into this Government and establish that center here in Washington. I think we have very probably reached the extreme limit of the tendency in that direction.

Now, I do not want to speak in any partisan sense on this proposition. The President recently organized an agricultural council or commission, and a rather large sum of money was appropriated for the purpose of paying the expenses of that commission; and after some meetings I understand they reported a concrete formula of action and submitted it to the President with the recommendation that the major problems be carried into legislation if possible.

Their report covered a very wide range of subjects; but when the Committee on Agriculture of this House began the consideration of its recommendations I am informed that practically all of them were abandoned by that commission itself, and the result of all this furore about a great agricultural relief program for the farmers of this country is that the committee has brought in this bill providing for cooperative marketing associations. And, gentlemen, one of the reasons why I am opposed to this bill is the fact that it has been brought not only to my attention but to the attention of other Members of Congress that these very cooperative marketing associations which this legislation attempts to aid have expressed to this House their most vigorous and profound opposition to the provisions of the bill itself.

Mr. BLACK of Texas. Mr. Speaker, will the gentleman yield there?

Mr. BANKHEAD. Yes.

Mr. BLACK of Texas. I will say to the gentleman that the only two farm organizations that I know of in Texas that are really extensively engaged in cooperative marketing have asked the Texas delegation to vote against the bill.

Mr. BANKHEAD. That is another illustration of the point I was attempting to make.

I hold in my hand and will ask leave to insert in the RECORD a list of the active cooperative farmers' associations, extending all over the country engaged in all kinds of agricultural effort, protesting most solemnly against the passage of this bill, and also their statement, the effect of which is that they pray the United States Congress simply to let them alone. They say that they are men of intelligence, that they have the capacity for organization, that they know how to protect their own interests better than any board, especially by the method provided by this bill; and the very men—and we ought to give earnest consideration to this fact, gentlemen—the very men in whose legislative interest this bill is proposed are here before this Congress protesting against its enactment.

Now, gentlemen, I said something a moment ago about building up another board here in Washington. When is the Congress of the United States going to reach its limit along that line? Only within the last few minutes have we passed another bill extending the enforcement of law into the hands of a Federal constabulary all over the land, to regulate the people of the country in their private pursuits.

We have here another piece of legislation proposing to create a great board, with five members, at a salary of $10,000 a year each, and also providing for the appointment of all the necessary assistants, traveling expenses, and all that sort of thing. We are familiar with the operations of these boards. We know how they start in an apparently harmless way and with a small appropriation, together with a small number of men, but in the course of a few years the Appropriations Committee must take care of a large Budget expenditure, because of the very natural expansion and reaching out for further authority upon the part of the boards which the Congress creates. The bill provides for the appointment of experts and for the fixing of the salaries of the experts, employees, and agents, together with expenditures for rent and personal services and all that as may be necessary for the execution of the functions of the board. It provides for a method of arbitration and settlement of all disputes as to any particular issue, and that will, of course, require a large personnel, and it provides for traveling expenses. That means the enlargement instantly, in my opinion, of this apparently small board into a large personnel. The bill provides for a licensed registration system and for trials on the part of the board as to whether or not business organizations have violated the terms of the certificates of registration.

Gentlemen, I do not believe—and I believe that in voicing these sentiments I am speaking in the real interests of the farmers, in my section of the country, at least—that there is anything in the provisions of this bill which will be of any material assistance to them in solving their problems or in increasing their prosperity.

I want to say to my colleagues upon this side of the House, my Democratic associates, that while they say we are groping about to find some issue upon which to rehabilitate our party—our historic and time-honored old party—in the confidence and respect of the people of this country, that in my deliberate judgment we can find none of greater value or more potent than to resolve as a party that we will resist this further aggression of Federal authority and the extension of the power of Federal agents to put their hands upon the individual rights of the people and the business of this country. [Applause.]

Believing that there is nothing of service, importance, or value in this legislation, but that it is a mere gesture, so to speak, in carrying out some accredited promise upon the part of somebody, I think it ought to be defeated courageously and frankly.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. BANKHEAD. Yes.

Mr. JACOBSTEIN. Is it not true that we now have a bureau in the Department of Agriculture that might well take care of this?

Mr. BANKHEAD. Oh, we have bureaus to do everything, to examine and to act on every possible contingency that the human imagination can conceive. I think the time has come not only to extirpate some of those already created but to see to it that no more useless ones shall be established. [Applause.]

Mr. Speaker, I yield back the balance of my time, and ask unanimous consent to revise and extend my remarks in the RECORD.

The SPEAKER. The gentleman from Alabama asks unanimous consent to revise and extend his remarks in the RECORD. Is there objection?

There was no objection.

Mr. BANKHEAD. Mr. Speaker, under the leave granted to me to extend my remarks in the RECORD, I desire to insert the following:

MEMBERS OF THE NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS

Arkansas Cotton Growers' Cooperative Association, Little Rock, Ark.
Arkansas Rice Growers' Cooperative Association, Stuttgart, Ark.
Atlantic Coast Poultry Producers' Association, New York, N. Y.
Broomcorn Growers' Cooperative Association, Oklahoma City, Okla.
Burley Tobacco Growers' Cooperative Association, Lexington, Ky.
Calfornia Prune & Apricot Growers' Association, San Jose, Calif.
California Peach & Fig Growers' Association, Fresno, Calif.
Connecticut Valley Tobacco Association, Hartford, Conn.
Dark Tobacco Growers' Cooperative Association, Hopkinsville, Ky.
Egyptian Seed Growers' Exchange, Flora, Ill.
Georgia Cotton Growers' Cooperative Association, Atlanta, Ga.
Georgia Peanut Growers' Cooperative Association, Albany, Ga.
Illinois Fruit Exchange, Centralia, Ill.
Indiana Wheat Growers' Association, Indianapolis, Ind.
Maine Potato Growers' Exchange, Caribou, Me.
Mid-West Dairymen's Co., Chicago, Ill.
North Carolina Cotton Growers' Cooperative Association, Raleigh, N. C.
National Pecan Growers' Exchange, Albany, Ga.
Oklahoma Cotton Growers' Association, Oklahoma City, Okla.
Oklahoma Wheat Growers' Association, Enid, Okla.
Pacific Cooperative Wool Growers, Portland, Oreg.
Pacific Egg Producers (Inc.), New York, N. Y.
Poultry Producers of Central California, San Francisco, Calif.
Poultry Producers of Southern California, Los Angeles, Calif.
South Carolina Cotton Growers' Cooperative Association, Columbia, S. C.
Sowega Melon Growers' Exchange, Adel, Ga.
Tennessee Cotton Growers' Association, Memphis, Tenn.
Texas Farm Bureau Cotton Association, Dallas, Tex.
Texas Wheat Growers' Association, Amarillo, Tex.
Tobacco Growers' Cooperative Association, Richmond, Va.

NONMEMBER COOPERATIVES REPRESENTED BY THE NATIONAL COUNCIL IN ITS PROTEST AGAINST FEDERAL REGULATION OF COOPERATIVES

Northern Wisconsin Tobacco Pool, Madison, Wis.
Kansas Wheat Growers' Association, Wichita, Kans.
Rio Grande Valley Cooperative Association, El Paso, Tex.
Western South Dakota Seed Growers' Exchange, Rapid City, S. Dak.
Tri-State Milk Producers' Association, Memphis, Tenn.

Resolutions on cooperative marketing legislation adopted by unanimous vote at the third annual meeting of the National Council of Farmers' Cooperative Marketing Associations, held in Washington, D. C., January 5 to 8, 1925:

"We believe that cooperative marketing associations should be organized by the farmers and owned and controlled by them; and in proof of their ability to intelligently and successfully manage their own business, when properly organized along lines of sound commodity cooperation, we call attention to the fact that there has been a smaller percentage of failures among the cooperative organizations brought into existence in recent years than has been shown in any other business activity in the life of our country. This record of accomplishment conclusively demonstrates the ability of American farmers to organize and successfully manage efficient cooperative marketing associations. Our experience has demonstrated that cooperative marketing associations to be successful must arise naturally out of the needs of farmers and that it is not wise to artificially stimulate such organizations by any sort of governmental aid, special favoritism, or subsidy. We hold ourselves always open to governmental inspection of methods and operation. We have nothing now to ask from the Government except a sympathetic, understanding administration of the laws and regulations which are already in force for the assistance and supervision of cooperative marketing associations."

OBJECTIONS TO PROVISIONS IN H. R. 12348, REPORTED BY HOUSE COMMITTEE ON AGRICULTURE

THE NATIONAL COOPERATIVE MILK PRODUCERS' FEDERATION,
Washington, D. C., February 19, 1925.

To Members of Congress:

The House Committee on Agriculture has favorably reported H. R. 12348. This bill still contains features objectionable to our member associations and to cooperative associations generally. Pursuant to resolutions passed by our directors, who favor the Norris-Dickinson bill (H. R. 12216) as being more constructive in many ways than the

committee bill, we are enumerating some of the principal objections we have to the present form of the committee bill:

1. The bill creates a Federal board which, for at least two years, may be composed of men who are not experienced in cooperative marketing and who are not truly representative of the cooperative marketing groups. Its provisions are in line with the idea of Government regulation, supervision, and promotion from Washington, which is diametrically opposed to the principle of self-help cooperative marketing coming from and being operated wholly by and at the will of the producers. It is wholly unlike and inferior to the Norris-Dickinson bill (H. R. 12216) which furnishes a direct channel from the cooperative producer to the Government for expression of his wishes and statement of his needs.

2. The nomination of members of the Federal board from whom the President shall make the appointment, after the first board, is restricted to the vote of registered cooperative associations. It is not even necessary that these associations be actively marketing in interstate commerce. Every registered association in the United States may send in a ballot, and the Secretary of Agriculture is to select and forward to the President the names of the 10 individuals receiving the greatest number of votes. Such a method is objectionable in that it is conducive to self-perpetuation of a board. Furthermore, this method of nomination affords no opportunity for cooperative commodity groups to give any expression of their choice or to act through their national associations. The balloting should be restricted to cooperative associations actively engaged in interstate commerce, whether or not registered, and these associations should be allowed to act through their commodity federations.

3. The registration provision is unnecessary, impractical, and dangerous. Cooperative associations will be forced to register in order to obtain the voting privilege, and on account of adverse propaganda by their enemies. In order to grant registration the board, among other things, is required, in section 23, to make a determination "that the financial standing and business methods of the association are sound." A proper investigation will require auditing of the books of an applicant, and a complete inquiry into its operations and all the economic conditions under which it is operating. Such an investigation—if any considerable number of the larger associations now operating made application for registration—would necessitate expenditures far beyond the appropriation in this bill and require a long period of time during which the applicants would be in a state of uncertainty as to whether their application would be granted. An adverse determination in the case of a cooperative now in operation might be disastrous, although otherwise the association might be successful.

A favorable determination, improperly made, would be equally dangerous, because registration carries with it the stamp of approval by the Government of the financial stability and the business methods of the applicant. This situation might easily lead to misunderstandings and severe losses to many farmers.

While registration is not compulsory, as above stated, the various associations will probably be forced to apply, and if they do, they must then consent as a part of their application to Government audit of their books, and to file a sworn statement semiannually. No other group of American business, comparable with the cooperatives, is being subjected to such hindrance and regulation.

In effect, this registration clause establishes an economic supreme court without review, with power to determine the right of cooperatives to exist and to adopt their own plans to carry on their own business. Few cooperatives would be powerful enough to withstand a criticism by the Federal board of their methods, even though such criticism should be without real merit.

For all of these reasons we believe that the principle of registration should be abandoned.

4. Power is given to the Federal board to make rules and regulations to carry out the act. The extent and nature of such regulations are not specified in the bill. On the other hand, the board is given power to impose penalties for violation of such rules and regulations, as well as to suspend or revoke the registration of any associations therefor. We believe that this delegation of power by Congress is unnecessary and unwarranted.

5. In the revision of the Capper-Volstead Cooperative Act the bill in section 5 of such revision opens the door of the antitrust laws to combinations of distributors with cooperative associations, and to the possibility of "dummy" cooperatives being operated for the purposes of and to the advantage of combinations of distributors.

6. In its present text the committee bill constitutes the beginning of a vast policy of Government regulation and supervision of agricultural cooperatives, and an extension of the powers of the board along this line will naturally be sought by the board members from future sessions of Congress.

Unless curative amendments are adopted to the committee bill, our organizations are opposed to its passage.

Respectfully submitted.

CHAS. W. HOLMAN,
Secretary National Cooperative Milk Producers' Federation.

Mr. BURTON. Mr. Speaker, I yield five minutes to the gentleman from New York [Mr. SNELL].

Mr. SNELL. Mr. Speaker and gentlemen, I do not pose as an expert on agricultural legislation, but when we have a proposition before us that five great farm organizations of this country claim they want considered on the floor of this House—and which, to a large degree, they are supporting—I believe we should give it consideration.

The trouble is, friends on this side of the House condemned the President's Agricultural Commission before it ever started to function, and another trouble is that you are sorry because, to a certain degree, it has functioned. The President of the United States promised the people last fall that he would do everything he possibly could to get some remedial legislation for the agricultural interests of this country. He appointed on this commission some of the most representative men there are in both parties, and these men have given careful consideration to the whole proposition. They have agreed to present this proposition to Congress, and I am at a loss to understand why the Members on this side of the House, who claim to be the real friends of the farmer, are opposed to considering it at this time.

Practically every political speech I have heard delivered on the floor of this House, with regard to farming conditions, has been addressed to the point that the difference between the price received by the producer and the price paid by the consumer is too great. They have all agreed it is a marketing proposition, and the bill now before us deals with the marketing question. I do not know that it will solve the question; I do not know what it will do, but I am willing to give it a fair chance, and it seems to me that those who are honestly desirous of solving this question should at least be willing to allow us to make a start toward it, and you can not make a start unless you at least consider what the Agricultural Commission has presented on this subject.

Mr. RUBEY. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. RUBEY. The gentleman made the statement at the opening of his discussion that there are five great national farm organizations back of this measure. For information I would like the gentleman to give us the names of those organizations.

Mr. SNELL. I can not give the gentleman the names, but that is what the chairman of the Agricultural Committee told the Rules Committee.

Mr. RUBEY. We have been trying to find some great big organizations that are back of this bill, and I was in hopes the gentleman could give us the names of some of them.

Mr. SNELL. That is information that comes to me from the chairman of the Agricultural Committee.

Mr. WEFALD. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. WEFALD. Does not the gentleman think that in setting up the machinery provided in this bill the men who are to compose it ought to be selected by the farmers themselves?

Mr. SNELL. I think they should have as much to do with it as possible. I am in favor of giving them every possible opportunity to run and govern this commission. I want to give the opportunity to the farmers themselves to work out this proposition, and that is the reason I am supporting this measure. I do not know about the various provisions of the bill, but I have understood that they are what the representatives of the farmers themselves want, and for that reason I want to have the bill considered on the floor of the House.

Mr. KINCHELOE. Will the gentleman yield?

Mr. SNELL. Yes.

Mr. KINCHELOE. I will say to the gentleman that there has not been any representative of any cooperative association before us except Mr. Merritt, of the Grape Growers' Association.

Mr. SNELL. I am taking what the chairman of the committee has said in the report filed with the House. Time and time again Members on both sides have asked me, as chairman of the Rules Committee, why I did not bring something forward for the relief of the farmer. I have made the statement several times that as fast as anything came to us and we had the opportunity we would bring it on the floor of the House, and it is in carrying out that promise that we present this resolution to you here to-day, and I trust it will be adopted.

Mr. POU. Mr. Speaker, may I ask how much time I have remaining?

The SPEAKER. The gentleman has used 13 minutes.

Mr. POU. Mr. Speaker, I yield the remainder of my time to the gentleman from Tennessee [Mr. GARRETT]. [Applause.]

Mr. GARRETT of Tennessee. Mr. Speaker, the President of the United States has been mentioned here in connection with this matter by both the gentleman from Ohio [Mr. BURTON] and the gentleman from New York [Mr. SNELL]. Of course, that mention is invoked for some purpose, and I should like, if I may, now to inquire of either of my friends, since they themselves have brought the name of the President of the United States into it, if either of them can now tell the House that the President is for this legislation and desires its passage. I refer to the gentleman from New York [Mr. SNELL] or the gentleman from Ohio [Mr. BURTON].

Mr. BURTON. If the gentleman from Tennessee will yield me the time, I will read to the House the message of the President transmitting the preliminary report of the agricultural conference:

To the Congress of the United States:

Transmitted herewith is a preliminary report of the agricultural conference. It embraces such recommendations as the conference wishes to make at this time. I am advised that while it does not refer to some legislation which is already pending, that the conference reserves the privilege of making further suggestions at some future time. As I have great confidence in the personnel of the conference and know that they are representative of a very large part of agriculture, and that they have given very thoughtful study to the entire situation, I recommend that their report be embraced in suitable legislation at the earliest possible date.

CALVIN COOLIDGE.

THE WHITE HOUSE, *January 28, 1925.*

Mr. GARRETT of Tennessee. Then that is to be construed, I suppose, as an indorsement of this bill by the President of the United States.

Mr. BURTON. There are some amendments in the bill; but the commission nevertheless, I am credibly informed, has indorsed this bill.

Mr. GARRETT of Tennessee. The commission.

Mr. BURTON. And the President has indorsed the commission.

Mr. GARRETT of Tennessee. Mr. Speaker, if I understand this bill correctly, and I think I do in a general way——

Mr. FULMER. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. FULMER. I will say for the information of the gentleman that Mr. Hoover, the Secretary of Commerce, indorses this present bill.

Mr. GARRETT of Tennessee. If I understand this bill, and I think I do in a general way, Mr. Speaker, it may, I believe, be properly designated as the most cruel attempt which intelligent men have ever made upon a people that were supposed to be demanding some sort of governmental relief.

I know something about these cooperative organizations, and I know that every communication I have had from their officials or from what may be called the lay members of these cooperative organizations, is in absolute protest against this effort to interfere by building up a bureau here, with the activities which they are now permitted to engage in under the law.

As has been well said by the gentleman from Alabama [Mr. BANKHEAD], all they have ever asked has been that they be let alone. This bill proposes to interfere, and I predict now that if this bill passes and becomes a law it will destroy the cooperative organizations of the United States. It looks like an effort on the part of gentlemen to make farmers in this country sorry they ever thought about asking for any relief.

During the campaign the President of the United States, who was a candidate for reelection, seems to have made some sort of a promise about appointing a commission. After the election was over he appointed the commission. This commission made certain recommendations. Those recommendations are in part involved in this bill, and those recommendations, it seems to me, embody an effort to put power—well, not in themselves; I do not know how many of them will be appointed as members of this bureau that is provided in this act—but it is provided to put power somewhere in a bureau that will destroy the whole principle upon which those have proceeded who have undertaken to build up these cooperative organizations throughout the country.

I do not wish to be extreme in my language, but I can not escape the feeling that this bill was conceived in partisan politics [applause]; that this whole movement, in so far as that which is involved in this bill is concerned, was brought forth for partisan political purposes, and that which this Committee on Agriculture is undertaking to do now is not to meet the farm demands but to meet an embarrassing political situation into which their leader unnecessarily projected them in the midst of the campaign. [Applause.]

Mr. KINCHELOE. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. KINCHELOE. The gentleman said he did not know how many of the members of this agricultural conference would be on this board. I want to remind the gentleman that one member of the board will be the Secretary of Agriculture, who will administer this proposed law.

Mr. GARRETT of Tennessee. This is going to continue the $50,000 that we voted away a little while ago for this commission.

Mr. KINCHELOE. They are not anywhere near through yet.

Mr. GARRETT of Tennessee. Has the commission reported how much of that $50,000 we voted away not long ago has been expended?

Mr. KINCHELOE. Not to the Committee on Agriculture; no.

Mr. GARRETT of Tennessee. Mr. Speaker, after all, we are facing quite a serious situation here, a thing we ought not to deal with lightly and thoughtlessly.

The farmers of this country, certainly the farmers of that section of the country from which I come, have never been insistent in their demands of Government aid. They have never demanded governmental subsidies. All that they have ever asked has been that they be put upon a plane of equality with others by not having special privileges given to others. They did ask—and it was granted by the Congress as a matter of justice—when these cooperative movements began to be organized, that they should be eliminated, under certain conditions, where the organization itself was not operating for the profit of itself, from the Sherman Antitrust Act. The Congress went to that extent. I think it should have gone to that extent, and that is all they have ever asked. That is all they ask to-day.

If you set up this bureau here that is provided for in this bill, you are destroying these cooperative associations, builded as they are upon sound principles, seeking no charity or subsidy, but seeking only to help themselves without governmental interference.

Mr. BLANTON. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. BLANTON. Is it not a fact that these very farm organizations have importuned us not to pass this bill? Is it not a further fact that this bill tries to get votes of farm lobbyists in the way of holding out $10,000 positions?

Mr. GARRETT of Tennessee. Yes; of course, I understand that; and I stated at the beginning of my remarks in answer to the first part of the gentleman's question that every letter which had come to me, at least from these organizations that were attempting to help themselves by their own voluntary efforts, has been a protest, vigorous and vehement, against establishing this governmental bureau that will interfere with their standing and their efforts to work out their own destiny.

Mr. WATKINS. Will the gentleman yield?

Mr. GARRETT of Tennessee. Yes.

Mr. WATKINS. Is not this bottomed on the fact that bureaus are hostile and antagonistic to cooperative marketing?

Mr. GARRETT of Tennessee. That must be the reason. This bureau, created here with the powers that it will have, within the course of less than two years will destroy every voluntary cooperative organization that has been built up by earnest men, independent American citizens, working out their own destiny without governmental aid. If you doubt it, wait for the result if this bill shall pass, which in fact I do not anticipate it will do. [Applause.]

Mr. BURTON. Mr. Speaker, I yield five minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Speaker and gentlemen of the House, what is the situation; what issue have we here? We are asked to defeat a rule for the consideration of the fourth measure that Congress is taking up that was framed by the Agricultural Commission. Who asks us to defeat the rule, and what is the reason for defeating it? The floor leader of the minority says that we should defeat the rule because the bill that we propose to consider had its inception in party politics. The distinguished gentlemen from Alabama [Mr. BANKHEAD], his colleague, says that we should defeat the rule because in casting around for a political issue that they can make the issue on it.

What do they mean? Before the ink on the President's commission report was dry, on the Democratic side some Members were on the floor denouncing the President and his commission for his attitude toward agriculture. I say to you that the only partisan politics that there is in this bill, the only partisan politics that has been in the commission's report and in the commission, has been injected by this side of the aisle since they started to function.

Who constitute the commission? The President said publicly that he did not know the party politics of the commission when he selected them. He did not know their party politics. Why did he select them, why was the gentleman from Ohio,

Mr. Bradfute, who supports this bill—why was he selected? Because he was a leading substantial Democrat of Ohio? No; because I do not think the President knew his politics, but he is one of the leading substantial Democrats of Ohio, although he did say here in the committee room that he had no hope of his party ever coming back into power so long as some of the tactics of party politics were used in the committees.

He selected him, why? Because he represents more farmers, having been elected by those farmers to represent them, than any man in the United States. He is president of the Federal Farm Bureau, the largest farm organization in the country. As president he has had more to do with more cooperative farm organizations than any man in the United States. He is a solid, substantial, old man who has made a life study of the subject, and he is willing to put aside partisan politics; although he was a candidate for elector on the Democratic ticket, he came to Washington and said, "Mr. Coolidge, if I can help you I will do it."

Mr. GARRETT of Tennessee. Will the gentleman yield?

Mr. TINCHER. I will.

Mr. GARRETT of Tennessee. The president of the Tennessee branch of the Federation of Farm Bureaus, whose politics I do not happen to know, is out in a most earnest protest against this legislation because it will destroy cooperative individual marketing.

Mr. TINCHER. Let me tell you what it will destroy. Let me give you a tip. They are afraid that this will render unnecessary some salaries. Mr. Shapiro appeared before the committee, the man who has taken more money from the farmers of America to help them cooperate than anyone in America, a most brilliant lawyer; he is against it. Why? Because his position now is yielding him a greater income than attorney for the largest corporation in America. He has taken it from the farmers, and they are getting no results. Mr. Bradfute and Mr. Taber, members of the commission, and other members of the commission will tell you of course these men with their hands in the farmers' pockets, and getting nothing for the farmers but failure, will object to this bill.

You may get lots of telegrams; wire back and ask what the salary is when you get them. I believe that this bill instead of defeating cooperative marketing, which is on its last legs, you might say, only last year, failing this year, instead of defeating it, it will be a beginning of successful cooperative marketing in this country.

The SPEAKER. The time of the gentleman has expired.

Mr. TINCHER. Can the gentleman yield me an additional minute?

Mr. BURTON. I yield the gentleman two more minutes.

Mr. TINCHER. Let me say this. It is not a matter that should be considered in a partisan way. Think what you are asked to do. You are asked by my friend from Alabama [Mr. BANKHEAD] to defeat the rule. As a starting point to get an issue on which you can come back into power, because he said in his speech, in looking around for an issue that would make you successful, right here was the place to start and denounced the so-called bureaucracy advocated in this bill.

Mr. BANKHEAD. Will the gentleman yield for a question? I think the gentleman wants to be fair.

Mr. TINCHER. Yes.

Mr. BANKHEAD. And give a fair interpretation of my remarks?

Mr. TINCHER. Yes.

Mr. BANKHEAD. The gentleman certainly can not contend that I argued that was the reason why this rule should be defeated. The gentleman knows that was merely an incident to my objection to this bill.

Mr. TINCHER. Whenever you hear a Democrat advocating a thing for partisan reasons I do not understand that that is incidental.

Mr. BLANTON. Will the gentleman yield?

Mr. TINCHER. I think if I would advocate a thing here on this floor and say I was also doing it from a partisan stand, I am a good enough party man not to want you to think I did it incidentally.

Mr. BLANTON. Will the gentleman yield?

Mr. TINCHER. No.

Mr. BLANTON. For a pertinent question?

Mr. TINCHER. I will yield with that prospect in view. [Laughter.]

Mr. BLANTON. Since the gentleman passed his bill that stopped cotton gambling on the market except at midnight he ought to be authority on this question, and does the gentleman maintain——

Mr. TINCHER. I do not yield further. I desire to say that the statement that I ever was the author of or was connected with any bill that interfered with cotton gambling or cotton trade is false, and there is no foundation. The gentleman seems to want to inject something in the RECORD. Now I would like a minute for myself, and I promise not to waste it. [Laughter.] At any rate how can anyone say that if there are some paragraphs in this legislation that a non-partisan commission or a by-partisan commission appointed by the President has suggested that we as Congress would be warranted in voting down a rule for its consideration? Are you afraid to meet it section by section and debate it? This is not a gag rule. It can be amended if anyone thinks the legislation is bad. I repeat that the only possible excuse for opposing this rule is partisan politics. It is easy to say that it will not help and therefore we will vote against it, that proper conditions will not be favorable and you can say we fought that thing. It is another thing to do as Mr. Bradfute, of Ohio, does, and other gentlemen are trying to do; that is, to take a step forward and say we are going to do this thing. That is the man who gets criticized. [Applause.]

The SPEAKER. The time of the gentleman has expired.

Mr. BURTON. Mr. Speaker, I understand the opponents of this rule have exhausted their time?

The SPEAKER. Yes.

Mr. BURTON. I yield five minutes to the gentleman from Indiana [Mr. PURNELL].

Mr. PURNELL. Mr. Speaker and gentlemen of the House, I only want to take five minutes and state that which was so clearly stated by the gentleman from Kansas [Mr. TINCHER] who preceded me, that the purpose of this resolution is merely to make in order the consideration of this cooperative marketing bill. It is a very simple measure and marks, in my judgment, the first great step in cooperative marketing. If I have interpreted rightly the agricultural situation in the country it is this: Up entirely too high is a plane which represents the price the farmer pays for what he has to buy. Down entirely too low is a plane which represents the price the farmer gets for the things he sells. Those two planes are too far apart and we as members of the Committee on Agriculture, as friends of the producers of the country as well as consumers, have been trying to do something to bring those two planes a little closer together. I am satisfield when we find a remedy we will squeeze out that which lies between the two, namely, those who are handling the products of the farmer who have nothing invested in their business but a desk and a telephone, yet through whose hands must go this flow of products from the farm to the consumer's table. As this flow of products passes from the farm to the consumer's table these men, who thrive in between and have nothing invested in their business, expect a toll from that flow of products which affects both the producer and the consumer. Now, gentlemen of the House, this Agricultural Commission of Inquiry appointed by the President made certain recommendations to the Congress of the United States which were transmitted by the President's message and which were indorsed by him.

These recommendations have been given careful consideration for a period of two weeks by the Committee on Agriculture, who have tried in so far as has been possible to translate into legislation the recommendations made by the President's commission.

We have not brought in a radical proposal. Cooperative marketing organizations throughout the United States can come within this act or stay out, as they like. Their entrance is voluntary, and even if they stay out certain amendments which we have made to the Capper-Volstead Act will give them great benefit.

I want to address myself for one minute to some remarks made by my distinguished friend, the leader of the minority [Mr. GARRETT of Tennessee], in which he refers to this board and its powers which we set up under this bill. If I correctly understood his statement, he said that this board, with all the power with which we clothe it, will destroy the cooperative marketing institutions and associations of this country.

I want to tell you what this board has power to do, and leave it to your own judgment to determine as to whether or not its powers are calculated to destroy cooperative marketing in this country. First of all, before the board shall have any authority to deal with these associations, the associations must voluntarily come within the power of the act. If they register and bring themselves within the purview of this act, then the board has certain definite powers, and here is what they are: To aid in surveys and investigations, not upon their own initiative, but only when application is made by groups of producers or by associations administering the organiza-

tions; and to make suggestions, not lay down definite rules and demands, but make suggestions as to the type of organization suited to the problems of the group or association making the application.

There is nothing radical about that.

The SPEAKER. The time of the gentleman from Indiana has expired.

Mr. PURNELL. I would like to have three minutes more.

Mr. BURTON. Mr. Speaker, I yield the gentleman three minutes more.

The SPEAKER. The gentleman is recognized for three minutes more.

Mr. PURNELL. This board has the power to provide for the registration of associations as members of the cooperative marketing system and to suspend or revoke their registration. It has power to examine any registered association and audit its accounts, not upon its own authority, but only if the association so requests, leaving it in the discretion of the board as to whether or not the auditing is to be made with or without cost to the board making the audit.

Then it has power to provide for a method of arbitration and settlement of all disputes of any registered association and its members, and to require such association and its members to abide by the award.

Now, then, another power: If application is made, and not unless application is made, this board has power to consider and advise upon problems concerning any agricultural industry and to call upon any department of the Federal Government for statistics, and so forth. If application is made, it has the right to call a meeting once a year of the various registered organizations for the purpose of sitting around a table and discussing agricultural problems, particularly cooperative-marketing problems. It has the power to cooperate with any department of the Government or with any State or Territory, or with any person.

Not a single radical power is proposed to be exercised by this board.

The gentleman from Texas [Mr. BLANTON] interrupted the minority leader to suggest that this might be the means of making a lot of jobs for some of the agricultural lobbyists in Washington. The members of this board are selected by the cooperative associations themselves. They make the nominations, and, save for the Secretary of Agriculture, who by virtue of his office is made a continuing member of this board, after the first preliminary board is made up the various cooperative marketing organizations of the United States send in their names or nominations, and the President will be required under this act to select the board from the 10 who receive the highest number of votes, so that the cooperatives themselves retain their power both as to entering and also as to the selection of the men who shall govern their business, and give them all this information and guidance and help in organizing these cooperative marketing institutions.

So, gentlemen, I suggest that there is nothing whatever that is radical about this proposal, and in any event this is only the adoption of a rule to give it consideration in the House. It will be open for amendment. [Applause.]

Mr. BURTON. Mr. Speaker, before moving the previous question, I ask unanimous consent to change in line 9 of the rule the figure "2" to the figure "3," so that there will be three hours of general debate.

The SPEAKER. The Clerk will report the amendment offered by the gentleman from Ohio.

The Clerk read as follows:

Amendment to the rule, offered by Mr. BURTON: Page 1, line 9, strike out the word "two" and insert in lieu thereof the word "three."

The SPEAKER. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BURTON. Mr. Speaker, I move the previous question on the resolution.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the resolution.

Mr. GARRETT of Tennessee. Mr. Speaker, I ask for a division.

The SPEAKER. A division is demanded.

The House divided; and there were—ayes 99, noes 32.

Mr. GARRETT of Tennessee. Mr. Speaker, I challenge the vote. I make the point of order that there is no quorum present.

The SPEAKER. Evidently there is no quorum present. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll. As many as are in favor of agreeing to the resolution will, when their names are called, answer "yea"; those opposed will answer, "nay."

The question was taken; and there were—yeas 266, nays 47, not voting 118, as follows:

[Roll No. 80]

YEAS—266

Abernethy	Faust	Lozier	Scott
Ackerman	Fenn	Luce	Sears, Fla.
Allen	Fish	Lyon	Sears, Nebr.
Allgood	Fleetwood	McClintic	Shallenberger
Almon	Foster	McFadden	Shreve
Andrew	Frear	McKenzie	Simmons
Arnold	Freeman	McKeown	Sinclair
Ayres	French	McLaughlin, Mich.	Sinnott
Bacon	Fulmer	McLaughlin, Nebr.	Sites
Barbour	Funk	McLeod	Smith
Barkley	Gambrill	MacGregor	Snell
Beck	Garber	Magee, N. Y.	Speaks
Beers	Goldsborough	Magee, Pa.	Sproul, Ill.
Bell	Green	Major, Ill.	Sproul, Kans.
Bixler	Greenwood	Major, Mo.	Stalker
Black, N. Y.	Griest	Manlove	Stedman
Bland	Guyer	Mapes	Stengle
Blanton	Hadley	Mead	Stephens
Bloom	Hall	Merritt	Strong, Kans.
Boies	Hardy	Michener	Summers, Wash.
Brand, Ohio	Harrison	Miller, Ill.	Swank
Britten	Hastings	Miller, Wash.	Swing
Browne, N. J.	Haugen	Milligan	Swoope
Browne, Wis.	Hawes	Minahan	Taber
Brumm	Hawley	Montague	Taylor, Colo.
Burdick	Hayden	Mooney	Taylor, Tenn.
Burtness	Hersey	Moores, Ind.	Taylor, W. Va.
Burton	Hickey	Morehead	Thatcher
Butler	Hill, Ala.	Morgan	Thomas, Ky.
Cable	Hill, Md.	Morin	Thomas, Okla.
Campbell	Hill, Wash.	Morris	Thompson
Canfield	Hoch	Murphy	Tillman
Cannon	Holaday	Nelson, Me.	Tilson
Carter	Hooker	Newton, Minn.	Timberlake
Casey	Howard, Okla.	Newton, Mo.	Tincher
Chindblom	Huddleston	Nolan	Tinkham
Christopherson	Hudson	O'Connell, R. I.	Treadway
Clague	Hudspeth	O'Connor, La.	Tydings
Clancy	Hull, Iowa	Oliver, Ala.	Underwood
Clarke, N. Y.	Hull, Tenn.	Paige	Upshaw
Cole, Iowa	Hull, Morton D.	Patterson	Vestal
Collier	Hull, William E.	Peery	Vincent, Mich.
Collins	Jacobstein	Perkins	Vinson, Ga.
Colton	James	Prall	Vinson, Ky.
Connery	Jeffers	Purnell	Voigt
Cook	Johnson, S. Dak.	Quin	Wainwright
Cooper, Ohio	Johnson, Wash.	Rainey	Wason
Cooper, Wis.	Jones	Raker	Watkins
Cramton	Kearns	Ramseyer	Watres
Croll	Keller	Rankin	Watson
Crosser	Kent	Ransley	Wefald
Crowther	Ketcham	Rathbone	White, Kans.
Cummings	King	Reece	White, Me.
Darrow	Knutson	Reed, Ark.	Williams, Mich.
Davis, Minn.	Kopp	Reed, N. Y.	Williams, Ill.
Davis, Tenn.	Kurtz	Reid, Ill.	Williamson
Dempsey	Kvale	Richards	Wilson, Ind.
Denison	LaGuardia	Robinson, Iowa	Wilson, La.
Dickinson, Iowa	Lampert	Robsion, Ky.	Wilson, Miss.
Dickinson, Mo.	Lankford	Romjue	Wingo
Dowell	Larsen, Ga.	Rubey	Winslow
Dyer	Leach	Sabath	Winter
Eagan	Leatherwood	Sanders, N. Y.	Wood
Elliott	Leavitt	Sanders, Tex.	Woodruff
Evans, Mont.	Lineberger	Sandlin	Woodrum
Fairchild	Longworth	Schafer	
Fairfield	Lowrey	Schneider	

NAYS—47

Aswell	Byrns, Tenn.	Humphreys	Park, Ga.
Bankhead	Crisp	Johnson, Ky.	Parks, Ark.
Black, Tex.	Deal	Johnson, Tex.	Pou
Bowling	Doughton	Kincheloe	Ragon
Box	Drane	Lanham	Rayburn
Boyce	Drewry	Lazaro	Smithwick
Brand, Ga.	Driver	McReynolds	Stevenson
Briggs	Gardner, Ind.	McSwain	Tucker
Browning	Garrett, Tenn.	Mansfield	Weaver
Buchanan	Geran	Martin	Williams, Tex.
Bulwinkle	Gilbert	Moore, Ga.	Wright
Busby	Hammer	Oldfield	

NOT VOTING—118

Aldrich	Cullen	Garner, Tex.	Larson, Minn.
Anderson	Curry	Garrett, Tex.	Lea, Calif.
Anthony	Dallinger	Gasque	Lee, Ga.
Bacharach	Davey	Gibson	Lehlbach
Beedy	Dickstein	Gifford	Lindsay
Begg	Dominick	Glatfelter	Lilly
Berger	Doyle	Graham	Linthicum
Boylan	Edmonds	Griffin	Logan
Buckley	Evans, Iowa	Howard, Nebr.	McDuffie
Byrnes, S. C.	Favrot	Johnson, W. Va.	McNulty
Carew	Fisher	Jost	McSweeney
Celler	Fitzgerald	Kelly	MacLafferty
Clark, Fla.	Fredericks	Kendall	Madden
Cleary	Free	Kerr	Michaelson
Cole, Ohio	Frothingham	Kiess	Mills
Connally, Tex.	Fulbright	Kindred	Moore, Ill.
Connolly, Pa.	Fuller	Kunz	Moore, Ohio
Corning	Gallivan	Langley	Moore, Va.

Morrow	Quayle	Snyder	Ward, N. C.
Nelson, Wis.	Reed, W. Va.	Spearing	Ward, N. Y.
O'Brien	Roach	Steagall	Weller
O'Connell, N. Y.	Rogers, Mass.	Strong, Pa.	Welsh
O'Connor, N. Y.	Rogers, N. H.	Sullivan	Wertz
O'Sullivan	Rosenbloom	Sumners, Tex.	Wolff
Oliver, N. Y.	Rouse	Sweet	Wurzbach
Parker	Salmon	Tague	Wyant
Peavey	Sanders, Ind.	Temple	Yates
Perlman	Schall	Underhill	Zihlman
Phillips	Seger	Vaile	
Porter	Sherwood	Vare	

So the resolution was agreed to.

The Clerk announced the following additional pairs:

Until further notice:

Mr. Madden with Mr. Linthicum.
Mr. Strong of Pennsylvania with Mr. Garner of Texas.
Mr. Gifford with Mr. Moore of Virginia.
Mr. Free with Mr. Garrett of Texas.
Mr. Mills with Mr. Byrnes of South Carolina.
Mr. Zihlman with Mr. Spearing.
Mr. Moore of Illinois with Mr. Fisher.
Mr. Sanders of Indiana with Mr. Gallivan.
Mr. Vaile with Mr. Rogers of New Hampshire.
Mr. Yates with Mr. Carew.
Mr. Anthony with Mr. Favrot.
Mr. Wyant with Mr. Corning.
Mr. MacLafferty with Mr. McDuffie.
Mr. Reed of West Virginia with Mr. O'Connell of New York.
Mr. Seger with Mr. Connally of Texas.
Mr. Morrow with Mr. Davey.
Mr. Gibson with Mr. Clark of Florida.
Mr. Cole of Ohio with Mr. Gasque.
Mr. Snyder with Mr. Howard of Nebraska.
Mr. Magee of Pennsylvania with Mr. Cleary.
Mr. Fuller with Mr Logan.
Mr. Kelly with Mr. O'Sullivan.
Mr. Evans of Iowa with Mr. Lea of California.
Mr. Dallinger with Mr. Glatfelter.
Mr. Anderson with Mr. Cullen.
Mr. Curry with Mr. McSweeney.
Mr. Schall with Mr. Quayle.
Mr. Nelson of Wisconsin with Mr. Dickstein.

The result of the vote was announced as above recorded.

ENROLLMENT OF THE BILL H. R. 4202

The SPEAKER. The Chair lays before the House the following resolution, which the Clerk will report.

The Clerk read as follows:

House Concurrent Resolution 46

Resolved by the House of Representatives (the Senate concurring), That in enrolling the bill H. R. 4202, entitled "An act to amend section 5908, United States Compiled Statutes, 1916 (Revised Statutes, section 3186, as amended by act of March 1, 1879, chapter 125, section 3, and act of March 4, 1913, chapter 166)," the Clerk of the House is authorized and directed—

(1) To strike out the words "That if," immediately after the enacting clause, and to insert in lieu thereof the following:

"That section 3186 of the Revised Statutes, as amended, is amended to read as follows:

"'SEC. 3186. That if'";

(2) To insert quotation marks at the end of such bill.

(3) To amend the title so as to read: "An act to amend section 3186 of the Revised Statutes, as amended."

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

NATIONAL DEFENSE ACT

The SPEAKER. The Chair also lays before the House the following resolution, which the Clerk will report.

The Clerk read as follows:

Senate Concurrent Resolution 33

Resolved by the Senate (the House of Representatives concurring), That the President of the United States be, and he is hereby, requested to return to the Senate the bill (S. 3760) to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes.

The SPEAKER. The question is on agreeing to the resolution.

The resolution was agreed to.

FEDERAL COOPERATIVE MARKETING

Mr. HAUGEN. Mr. Speaker, I move that the House resolve itself into the Committee of the Whole House on the state of the Union for the consideration of the bill (H. R. 12348) to create a Federal cooperative marketing board, to provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes.

The motion was agreed to.

Accordingly the House resolved itself into the Committee of the Whole House on the state of the Union for the consideration of the bill H. R. 12348, with Mr. GREEN in the chair.

The Clerk reported the title of the bill.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent that the first reading of the bill be dispensed with.

The CHAIRMAN. The gentleman from Iowa asks unanimous consent that the first reading of the bill be dispensed with. Is there objection?

There was no objection.

Mr. HAUGEN. Mr. Chairman, I yield myself time. The time is limited; a number of requests have been made for time. Opportunity will be granted when the bill is read to discuss the bill in detail, hence I shall take but a very few minutes in an explanation of the bill; in fact, the gentleman from Ohio [Mr. BURTON] stated in his remarks the object of the bill.

The object of the bill is to aid, encourage, and foster cooperative marketing. The bill carries out the recommendations made by the conference assembled by the President, and it has the approval of the members of the conference appearing before the committee. The chairman of the conference, Governor Carey, Secretary Jardine, Mr. Bradfute, and Mr. TABER appeared before the committee and entered their approval. A number of representatives of farm organizations appeared before the committee and expressed their approval, with the exception, I believe, of one or two.

The bill deals solely with cooperative marketing.

Section 1 establishes a board, the Federal cooperative marketing board, to be composed of five members, at a salary of $10,000 each, and the Secretary of Agriculture. The first appointment of the five original members to be made by the President, by and with the consent of the Senate.

(C) Page 2: Whenever a vacancy occurs the President shall select 1 from the 10 individuals receiving the greatest number of votes cast by registered cooperative marketing associations.

(F) Page 3: The appointment of the five individuals shall be made with due regard to the knowledge and experience of—

(1) One in the production and marketing of livestock.

(2) One in the production and marketing of grain.

(3) One in the production and marketing of dairy and poultry products.

(4) One in production and marketing of cotton and tobacco.

(5) One in the production and marketing of fruits and vegetables.

Not more than three of the members shall be of the same political party.

GENERAL POWERS

(C) Page 4: Shall make annual report to Congress.

(D) Page 4: Make such regulations as are necessary.

(E) Page 4: May appoint without regard to the provisions of the act of January 16, 1883, and in accordance with the classification act of 1923.

EXPENSES

Section 4 authorizes the appropriation of $500,000 for expenses in the administration.

REGISTRATION

Section 2: Application for registration may be made by producers qualifying under the Capper-Volstead Act, desiring to organize a local cooperative marketing association clearing house or cooperative terminal marketing association.

Section 21 (a): The board is authorized to aid in such surveys and investigations as are essential, and to make suggestions as to the type of organization suited to the problems of the group or organization making application.

Section 21: (B) To provide for, but not require the registration of associations.

To provide for the suspension and revocation of their registration.

AUDITS

(C) To audit upon the request of such an organization, such audit to be made with or without cost in the discretion of the board.

To require from each registered association not oftener than twice in any fiscal year a sworn statement in respect of the financial condition.

ARBITRATION

(D) Page 6: Board to provide for a method of arbitration and settlement of all disputes in reference to the grades, standards, conditions, and quantity of an agricultural product, and the trade rules and regulations, practices, and customs in respect to such product occurring between any such organization, its members, or nonorganized associations, and to require such association to abide by the award.

Mr. McKEOWN. Mr. Chairman, will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. McKEOWN. Does the bill require cooperative marketing associations to come in under the provisions of the bill?

Mr. HAUGEN. No. Not at all. There is nothing compulsory about the bill. No immunities are lost by not coming in under it. They enjoy all of the privileges granted under the Capper-Volstead Act, whether they are registered or not.

Mr. McKEOWN. What would be the advantage of a marketing association coming in under the provisions of the bill?

Mr. HAUGEN. There are advantages, but there is no compulsion about it. There are the advantages enumerated. This board will aid in perfecting orderly marketing, arbitrating disputes, making audits. It will permit the use of certain titles, and so forth.

I will state that the bill also broadens the scope of the privileges granted under the Capper-Volstead Act.

CAPPER-VOLSTEAD AMENDMENTS

The bill proposes to grant additional special privileges to producers who qualify under the Capper-Volstead Act; that is, to individuals engaged in the production of agricultural products; that farmers, planters, ranchers, dairymen, or fruit growers may act together in association, cooperation, or otherwise, with or without capital stock, carried out in the interest of interstate and foreign commerce.

Additional special privileges to be granted are as follows:

(A) They may exchange crop and market information.

(B) Making and carrying out programs for the orderly production and marketing of the agricultural products of individuals so engaged.

(C) Pooling, processing, preparing for market, storing, handling, and marketing of such products.

Section 5. (A) It is proposed to clarify the language.

(B) To make it clear that the associations qualified under the Capper-Volstead Act may bring into effect such purposes, notwithstanding the provisions of the antitrust laws, and that if an association which qualified under the Capper-Volstead Act enters into copartnership with an association not qualified under the Capper-Volstead Act, then such a copartnership shall not be immune from the antitrust acts.

Much to my surprise I find a number of milk producers objecting to the additional special privileges which it is proposed to grant to the producers. I have received many telegrams. I shall read from one or two of them:

Washington Cooperative Egg and Milk Association, with 4,500 members, objects to the amendments to the Capper-Volstead Act.

Our ninth annual meeting of Farmers Milk Producers' Association, representing producers who ship annually over 5,000,000 gallons of milk into Richmond, have instructed us to protest against Congress passing any bill providing for Federal registration and auditing of cooperative marketing association, and to protest against attempting to amend Capper-Volstead Cooperative Act in this session. We do not oppose Federal assistance, but we are vigorously opposed to any start by Government toward Federal control.

Only a few years ago representatives of milk producers appeared before the committee with tears in their eyes and told their pitiful story. I will insert extracts from the hearings before my committee held August 15, 1919:

Mr. MILLER. My name is John D. Miller, and my business is located at 303 Fifth Avenue, New York City, which is the office of our farm organizations.

I appear here, Mr. Chairman, as representing the National Board of Farm Organizations, having affiliated with it about 2,000,000 of the organized farmers of America.

* * * * * * *

Mr. Chairman, as emphasizing the importance of having a clear right, a right that will be unchallenged, to make these collective sales, I am going to ask you to let me take a few minutes to tell you a story of things that have been done in the immediate past. The story will take you from California to New York. I am going to try to tell this story dispassionately; I am not going to express opinions on it, but will ask you to characterize it as, in your better judgment, you think it deserves, and if any remedy is needed that you will know what remedy.

If you find from the story that I tell you that there is any concert of action between the organized middlemen of this country and certain officials of our State departments of justice—for in this story you will find figuring milk dealers, organized middlemen; you will find State prosecution attorneys, and in one or two instances Federal district attorneys—we are going to ask you to decide what these facts mean.

In June the organized farmers of California engaged in the business of making collective sales of their milk were arrested. The sensational newspapers of California branded them as criminals. They were indicted—for what? Not for profiteering; oh, no; but for simply making collective sales of farm products.

Mr. YOUNG. Was that in the State or the Federal courts?

Mr. MILLER. That was in the State courts, under the State law. They were tried, and on the 31st day of July were promptly acquitted. But that was an expensive trial. Farmers can not afford to be continually and perpetually fighting lawsuits to justify their right or defend their right to make collective sales. A few such victories will bankrupt that organization.

Let us next go to Chicago. In the fall of 1917 the organized farmers that supplied the Chicago district with milk were indicted. The investigations which led up to those indictments were oppressive in their character. They were indicted as having violated the State antitrust law.

And by what, I am sure, was a coincidence, just at that time, in April, the Federal district attorney of that district got busy and commenced investigations of the same men under the Federal antitrust act.

Mr. YOUNG. Under the Sherman law?

Mr. MILLER. Under the Sherman law; yes, sir; the Sherman and Clayton laws. The method of that I am going to relate to you; I am going to try to relate it dispassionately, and it is for you to characterize it.

At a given hour on a given day, say, 10 o'clock in the forenoon, there appeared in the office of the secretary of that farmers' organization two of the special agents—detectives, we assume—with a subpœna duces tecum, commanding them to appear forthwith before the Federal grand jury.

* * * * * * *

A subpœna duces tecum was served commanding them to bring forthwith a large volume of their records, books, and papers. At the same hour two sleuths appeared at the office of the president of the organization in the same building with a like subpœna.

* * * * * * *

Now, that was very carefully staged, for, at the same hour of the same day, at about 35 points in that great territory supplying Chicago with milk, the special agents subpœnaed the local officers of the local associations with a subpœna duces tecum to proceed forthwith to Chicago with all of the books, correspondence, and records in their possession.

[Extracts from the statement of Mr. H. W. Ingersoll, of Elyria, Ohio, president Ohio State Dairy Association]

Mr. INGERSOLL. Mr. Chairman, I have been asked to say a word, and I want to say first that I appreciate very much the opportunity to be heard on this matter.

I am one of the men who was indicted, as Mr. Miller has told you. What I say to you I say from personal experience. We have an organization known as the Ohio Farmers' Cooperative Milk Co., which is composed of farmers producing milk and delivering it in Cleveland, Ohio. We do not control 65 per cent of the milk that goes into the city. We have been meeting from time to time and laying before the various dealers the conditions under which we were producing milk, and we have asked them to advance our price. During the month of July we got 7½ cents a quart for milk, and it was sold in the city at 15 cents a quart. In August we have conditions which were so changed that we were compelled to pay about $25 a ton or more for all varieties of feed, and we have been paying as high as $100 a ton for oil meal.

About the 1st of August the wave of cutting down of the high cost of living spread over the country, and a special grand jury in Cuyahoga County, Ohio, was convened, and at that meeting some of the dealers appeared, and the producers' executive committee, of which I am chairman, were indicted. This news was spread abroad over the wires, and I at once got in communication with the sheriff and suggested that it was a physical impossibility to get in there on that day, and said that we would report at 9 o'clock the next morning, and I would see that all of the indicted men were present in his office. Deputies were sent out and notified us, and returned to the city without action except to notify us that we were wanted in the morning.

The deputy went back to his office in Cleveland, the one who gathered up four of us who lived west of Cleveland, and, as he expressed it, he got the most severe bawling out he ever got because he did not bring the prisoners in. He started back and called up Mr. Clark, in Medina County, about midnight, and he was caused to leave his family; and he came on and took one of the other men, and then he came on to Elyria, where I was taken, and we were all taken to Cleveland about half past 4 o'clock in the morning into what was known as the hospital ward of the jail, and there the conditions were certainly deplorable; and there were vermin in there and also insane, and we were associated with them. We were there from about half past 4 in the morning, the four I was taken in with; the other three were taken in there about half past 2 in the morning. We remained there until about half past 10 or 11 o'clock. Then, through the assistance of an attorney, we were allowed to be taken before the judge and allowed to give bail and came out.

These men, two or three of them, came from east of Cleveland, and they were taken out of the fields at 4 o'clock in the morning, and they are men of exemplary character, some of them township trustees, and holding other positions of trust, and they were taken to the city and not permitted to have food that night, and did not get anything until they got out the next day.

The families of all these men indicted and brought of course were heartbroken. We had one man, a county commissioner-elect, taking his office in September. We had a deputy sheriff of the county and court bailiff, and that shows the character of the men.

The result is that the producers in that vicinity are simply up in arms, and I want to say right here that the rank and file of the producers are continuing to furnish their milk to the city of Cleveland, and the inhabitants of Cleveland as a class are not opposed to our organization or its workings.

We have never had costs of production at any time, and according to the best evidence we can get, according to the records that have been kept by our own producers, we are not getting them now. We did ask an advance for that reason and we have been indicted.

You will note from the testimony that they told about being taken out of bed at 3 o'clock in the morning and lodged in jail and compelled to remain in jail and denied the privilege of giving a bond. Later, they were tried and put to the expense of employing attorneys and other expenses. I find representatives of the same organizations now objecting to the very legislation that they then asked for and apparently inspiring the telegrams received.

Mr. BUTLER. Will the gentleman yield? What were they tried for?

Mr. HAUGEN. The immunity is what they asked for then, and it is what we have tried to give them here.

Mr. BUTLER. Does the gentleman mean that they were thrown into a common jail?

Mr. HAUGEN. Into jail, yes; as the testimony shows.

Mr. BUTLER. And denied the privilege of giving a bail bond?

Mr. HAUGEN. Yes.

Mr. BUTLER. What had they done?

Mr. HAUGEN. A few farmers and neighbors got together one evening and discussed the price of milk. They thought they were entitled to more than what they were receiving. I believe they were getting about 7½ cents a quart, and it was being retailed at 15 cents. For that reason they were thrown into jail.

Mr. CONNALLY of Texas. Will the gentleman yield?

Mr. HAUGEN. Certainly.

Mr. CONNALLY of Texas. The gentleman makes a very clear and splendid recital of the conditions——

Mr. HAUGEN. I want to make myself clear in that respect. We have been working night and day to help the farmers, and yet we now have telegrams coming in by the hundreds asking us to defeat the very thing that they desired and what they should have and that they must have in order to successfully operate.

Mr. CONNALLY of Texas. Will the gentleman yield for a question?

Mr. HAUGEN. Yes.

Mr. CONNALLY of Texas. The gentleman has made a very moving statement about the condition these milk dealers found themselves in. Is it not rather reasonable to assume that, having had that experience with the Hoover laws, they are rather fearful if we adopt more Federal regulations they will find themselves in the same fix again?

Mr. HAUGEN. We incorporated a provision in an amendment to the food control act giving them the right of collective bargaining. It provided that the restrictions and penalties proposed in the food control act should—

not apply to farmers, gardeners, horticulturists, vineyardists, planters, ranchmen, dairymen, stockmen, or other agriculturists with respect to the farm products produced or raised upon land owned, leased, or cultivated by him: *Provided further*, That nothing in this act shall be construed to forbid or make unlawful collective bargaining by any cooperative association or other association of farmers, dairymen, gardeners, or other producers of farm products with respect to the farm produced or raised by its members upon land owned, leased, or cultivated by them.

Mr. CONNALLY of Texas. Not in this bill.

Mr. HAUGEN. The bill I refer to is an amendment to the food control act, giving them the right of collective bargaining, and of course, when that law expired, new legislation was necessary. As a consequence, the Capper-Volstead Act was enacted. As you gentlemen will remember, they were here for days and months and finally succeeded in having a bill passed granting only part of the privileges which they should have. We are now trying to give them the very privileges that they asked and fought for at that time, and now that we are engaged in an effort to extend their privileges as asked for and as desired, and which they must have in order to successfully operate, we have telegrams coming in opposing the proposition and asking you to turn it down.

Mr. McKEOWN. Will the gentleman yield?

Mr. HAUGEN. Let me first finish my statement, otherwise I would be very glad to yield to the gentleman.

The gentleman from Tennessee [Mr. GARRETT] has raised the question of politics. I believe that is the first time in the history of this Congress that such an issue has been raised in connection with legislation of this kind—legislation for the farmers. Politics has not been an issue in my committee. Personally, I believe that every Member of Congress and the majority of good Americans, regardless of political affiliation, are sincere in their advocacy of the principles and the policies which they advocate.

Mr. HUDSPETH. Will the gentleman yield?

Mr. HAUGEN. If my position is well taken, this is no time to quarrel. On the contrary, it will require the united and the best efforts of every good American citizen to overcome the difficulties confronting the farmers to-day. I need not call your attention to that. It is well known. I think we all agree that it will require the united and best efforts of every Member of Congress, to do what? To restore normal and better conditions not only to agriculture but thus to promote the best interests of labor and of every activity, in order that we may have the fullest development of every worthy and legitimate enterprise. You can not accomplish this if you are going to make a party issue of it.

Are you going to vote against a meritorious measure because it may have the indorsement of the President? The President has the welfare of our country at heart. No one will question his sincerity of purpose in this matter.

This bill has the indorsement of the members of the farm organizations. The gentleman from Ohio read the President's message to Congress, which clearly indicates his views and interest in the matter. The President assembled an agricultural conference made up of nine of the most representative men in agriculture.

Are you for the platform you adopted or are you against it? That is the question for all to determine. [Applause.] You can make a political issue of it if you care to, that is your privilege. I shall not take up further time, Mr. Chairman.

Mr. MORGAN, Mr. McKEOWN, and Mr. HUDSPETH rose.

Mr. HAUGEN. I regret that I can not yield. We will discuss the bill in detail under the five-minute rule. I have at least 20 requests for time, and I have given my word I will not take up any more time. I would like to discuss the matter for an hour or two, but we will do that later.

The CHAIRMAN. The gentleman overlooks the fact that there has been no statement as to who shall control the time which has been equally divided by the rule. There should be unanimous consent as to who shall have control of the time.

Mr. ASWELL. Mr. Chairman, it was understood between the chairman and myself that he was to control one half of the time and I should control the other half.

Mr. HAUGEN. And that the time shall be equally divided between those for and against. But that is for the committee to determine.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that the time fixed by the rule—three hours—equally divided between those for and those against the proposition, shall be controlled one-half by the gentleman from Iowa and the other by himself. Is there objection?

Mr. CARTER. Reserving the right to object, I want to ask the chairman of this committee, when was it decided to report this bill?

Mr. HAUGEN. About four days ago, at 1 o'clock and 25 minutes in the morning.

Mr. CARTER. What the gentleman from Iowa [Mr. HAUGEN] has said about politics does not apply to me. I am anxious to support any bill that will help the farmers, no matter from what source it comes, but the difficulty we find ourselves under now is in determining whether this bill is a real benefit or a detriment to the farmer.

The report on this bill bears the date of February 18, but I understand that neither the bill nor the report was printed and available for use of the Members until late yesterday afternoon. I have sought the minority views on this bill, but have sought in vain. When I asked some of the members of the Agricultural Committee opposing this bill why they had not filed minority views, they replied that since the report and amended bill had only been recently available they had been given neither time nor opportunity to make any intelligent discussion of their views.

You are undertaking here to deal with the basic industry of this country. The agricultural industry is the most important industry in the land, so important, in fact, that the President deemed it advisable to create a special commission

to study, investigate, and inquire into agricultural conditions and to report and recommend appropriate legislation for their relief. The report of this agricultural conference, so called, on which it is claimed this bill is based, was made January 26, almost a month ago, yet the Committee on Agriculture has not found it convenient or deemed it proper to report any bill carrying out the views of the conference until last Wednesday, and the bill so reported was not made available until yesterday. After all this delay by the committee, after all the many days that the report of the President's conference has been before the Agricultural Committee, this bill is now brought in here in an attempt to railroad it through without giving benefit of the views of the minority, and Members are called upon to cast their votes upon this important question, so vitally affecting the basic industry of our country, upon strictly ex parte testimony.

It is not fair to the House, it is not fair to those of us not serving on the Agricultural Committee and who did not, therefore, have an opportunity to attend the hearings. We ought to have the privilege of considering in an orderly manner both the majority and minority views on this most vital subject. It is not good judgment to undertake to pass legislation dealing with the basic industry of our country in this precipitate and haphazard manner.

Mr. HAUGEN. The report was delivered to the Printing Office about 1.30 Thursday morning. The delay was not the fault of the Printing Office, as the copy reached them very late and other congressional work had a prior claim.

Mr. CARTER. But the gentleman is responsible for bringing legislation before the House in this hurried and ill-advised manner, and this bill should not be taken up without affording Members proper information on both sides of the question.

Mr. BURTNESS. Did not the minority have as good an opportunity to file their views as did the majority?

Mr. CARTER. No; because the minority had no opportunity to see either the amended bill or the majority report for the very good reason that neither was printed until yesterday afternoon.

Mr. BURTNESS. That is not contemplated in the rules of the House.

Mr. CARTER. Since the gentleman is qualifying as an expert on the rules, I would like to ask him what are the rules with reference to minority reports?

The CHAIRMAN. The gentleman from Louisiana [Mr. ASWELL] asks unanimous consent that the time, which is equally divided by the rule, shall be controlled one half by the gentleman from Iowa, chairman of the committee, and the other half by himself. Is there objection?

Mr. RUBEY. Reserving the right to object, I would like to ask this question. Will the gentleman from Iowa control those who are opposed to the bill on his side and those who are in favor of the bill on his side and will the gentleman from Louisiana control those who are against the bill on his side and in favor of the bill on his side?

The CHAIRMAN. That is not a question for the Chair.

Mr. RUBEY. I ask unanimous consent that the gentleman from Louisiana may control his side of the House, taking care of those who are in favor of the bill and those who are opposed, and the gentleman from Iowa control the time for his side, taking care of those who are in favor of the bill and those who are opposed.

The CHAIRMAN. Does the gentleman from Louisiana accept that amendment?

Mr. ASWELL. Yes.

The CHAIRMAN. The gentleman from Louisiana asks unanimous consent that one-half of the time shall be controlled by the gentleman from Iowa in behalf of the majority, and the gentleman from Louisiana control the time for his side in behalf of the minority, both those for and against. Is there objection?

Mr. KINCHELOE. A parliamentary inquiry, Mr. Chairman.

The CHAIRMAN. The gentleman will state it.

Mr. KINCHELOE. If this unanimous-consent agreement goes through, will the gentleman from Louisiana have to yield one-half of his time to those in favor and one-half to those against on this side?

The CHAIRMAN. The gentleman from Louisiana will control the time and use his own discretion.

Mr. WINGO. Reserving the right to object, I do not care who controls the time. I do not know whether I am for the bill or not. I voted for the rule. I want to know if somebody for the committee is going to explain the bill? The chairman of the committee declined to yield to me. I wanted some information. I want to support the bill if I can, and as I say, I voted for the rule. I am not going to agree to anybody controlling the time who declines in general debate to give an explanation about it. This bill refers to section 5 of the act of February 10, 1922. There is no section 5. I wanted to get some definite information about it, and I am willing for anybody to control the time if they will agree to give some sincere and honest information about what the bill contains.

Mr. HAUGEN. The rule provides——

Mr. WINGO. The gentleman declined to yield to me when I asked for information; he waved me aside and went off on political control, and so forth.

The CHAIRMAN. Is there objection to the request of the gentleman from Louisiana?

There was no objection.

MESSAGE FROM THE SENATE

The committee informally rose; and Mr. ANDERSON having taken the chair as Speaker pro tempore, a message from the Senate by Mr. Craven, its Chief Clerk, announced that the Senate had passed without amendment bills of the following titles:

H. R. 11737. An act authorizing preliminary examinations and surveys of sundry rivers with a view to the control of their floods;

H. R. 12064. An act to recognize and reward the accomplishment of the world flyers; and

H. R. 11957. An act to authorize the President in certain cases to modify visé fees.

The message also announced that the Senate had agreed to the reports of the committees of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bills of the following titles:

H. R. 9535. An act authorizing suits against the United States in admiralty for damage caused by and salvage services rendered to the public vessels belonging to the United States, and for other purposes; and

H. R. 12033. An act making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

The message also announced that the President pro tempore had appointed Mr. PHIPPS and Mr. JONES of New Mexico members of the joint select committee on the part of the Senate, as provided for in the act of February 16, 1889, as amended by the act of March 2, 1895, entitled "An act to authorize and provide for the disposition of useless papers in the executive departments," for the disposition of useless papers in the Department of Labor.

COOPERATIVE MARKETING BOARD

The committee resumed its session.

Mr. ASWELL Mr. Chairman and gentlemen of the committee, I would like to state briefly that if the majority report had been printed in time there would have been a minority report at your disposal. It has been suggested repeatedly by gentlemen on the Republican side of the Chamber that political interests influence the discussion of this bill. From that statement I dissent. I have no interest in the political aspect of it, but I am profoundly concerned in improving the agricultural situation of the country. In the first place the bill, not in a single line, offers either hope or help to the farmers. It is an effort to paternalize the farmer, make him more subordinate, destroy his initiative and his ability to handle his own business, and make him a ward of the Nation. The bill proposes a Federal board, five members, at $10,000 a year each, with travel and other expenses, with authority to appoint and fix the salaries of experts, secretaries, stenographers, and assistants without limit. Much is being made of the statement that the cooperatives are not compelled to come in. That is true on the face of the bill, but when they agree to register they agree to abide by the mandates of this board, and its authority is plenary. They will be practically driven into the Federal system. The bill seeks to establish an economic supreme court from which there is no appeal, and every cooperative organization that registers under this bill agrees to abide by that authority. Now what does this board offer the American farmer? Specifically this. It says to the American farmer, you come into this Federal system and we will give you regulation, investigation, inspection, audit, control, and if you do not obey us we will dismiss and destroy you What will the farmers get from this Federal organization? Two things, and only two. First, free advice; second, the right to put on their stationery the word "Federal." That is all. There is not a line in this bill which offers anything else to the American farmer. It offers only the right to be investigated, audited, inspected, regulated, and then in return get free advice.

Mr. CRISP. Will the gentleman yield for one question?

Mr. ASWELL. I will.

Mr. CRISP. Is there anything in the bill which will aid these cooperative market associations in disposing of their products?

Mr. ASWELL. Not a single line, as I shall show you later. Now, gentlemen, I think it is reasonable to state that with the facts before us the cooperatives will not join this Federal system. Our distinguished chairman [Mr. HAUGEN] is in error when he intimated that the cooperatives are supporting this measure. I attended every hearing on this bill except one and listened to the representatives of the cooperatives of this country from one side to the other, and except one, that of Mr. Merritt, who is a member of the President's conference, the cooperatives in America have opposed this bill.

Mr. SHERWOOD. How many cooperative associations are there?

Mr. ASWELL. About 28,000 now, is my information.

Mr. SHERWOOD. And only one indorses it?

Mr. ASWELL. That is true. The National Cooperative Milk Producers have bitterly denounced and appealed to Congress not to pass it.

OBJECTIONS TO PROVISIONS IN H. R. 12348 REPORTED BY HOUSE COMMITTEE ON AGRICULTURE

THE NATIONAL COOPERATIVE MILK PRODUCERS' FEDERATION,
Washington, D. C. February 19, 1925.

To Members of Congress:

The House Committee on Agriculture has favorably reported H. R. 12348. This bill still contains features objectionable to our member associations and to cooperative associations generally. * * *

1. The bill creates a Federal board which, for at least two years, may be composed of men who are not experienced in cooperative marketing and who are not truly representative of the cooperative marketing groups. Its provisions are in line with the idea of Government regulation, supervision, and promotion from Washington, which is diametrically opposed to the principle of self-help cooperative marketing coming from and being operated wholly by and at the will of the producers. * * *

2. The nomination of members of the Federal board from whom the President shall make the appointment, after the first board, is restricted to the vote of registered cooperative associations. It is not even necessary that these associations be actively marketing in interstate commerce. Every registered association in the United States may send in a ballot and the Secretary of Agriculture is to select and forward to the President the names of the 10 individuals receiving the greatest number of votes. Such a method is objectionable in that it is conducive to self-perpetuation of a board. Furthermore, this method of nomination affords no opportunity for cooperative commodity groups to give any expression of their choice or to act through their national associations. The balloting should be restricted to cooperative associations actively engaged in interstate commerce, whether or not registered, and these associations should be allowed to act through their commodity federations.

3. The registration provision is unnecessary, impractical, and dangerous. Cooperative associations will be forced to register in order to obtain the voting privilege and on account of adverse propaganda by their enemies. In order to grant registration the board, among other things, is required, in section 23, to make a determination "that the financial standing and business methods of the association are sound." A proper investigation will require auditing of the books of an applicant and a complete inquiry into its operations and all the economic conditions under which it is operating. Such an investigation—if any considerable number of the larger associations now operating made application for registration—would necessitate expenditures far beyond the appropriation in this bill and require a long period of time, during which the applicants would be in a state of uncertainty as to whether their application would be granted. An adverse determination in the case of a cooperative now in operation might be disastrous, although otherwise the association might be successful.

A favorable determination improperly made would be equally dangerous, because registration carries with it the stamp of approval by the Government of the financial stability and the business methods of the applicant. This situation might easily lead to misunderstandings and severe losses to many farmers.

While registration is not compulsory, as above stated, the various associations will probably be forced to apply, and if they do they must then consent as a part of their application to Government audit of their books and to file a sworn statement semiannually. No other group of American business comparable with the cooperatives is being subjected to such hindrance and regulation.

In effect, this registration clause establishes an economic supreme court, without review, with power to determine the right of cooperatives to exist, and to adopt their own plans to carry on their own business. Few cooperatives would be powerful enough to withstand a criticism by the Federal board of their methods, even though such criticism should be without real merit.

For all of these reasons we believe that the principle of registration should be abandoned.

4. Power is given to the Federal board to make rules and regulations to carry out the act. The extent and nature of such regulations are not specified in the bill. On the other hand the board is given power to impose penalties for violation of such rules and regulations, as well as to suspend or revoke the registration of any associations therefor. We believe that this delegation of power by Congress is unnecessary and unwarranted.

5. In the revision of the Capper-Volstead cooperative act, the bill, in section 5 of such revision, opens the door of the antitrust laws to combinations of distributers with cooperative associations and to the possibility of "dummy" cooperatives being operated for the purposes of and to the advantage of combinations of distributers.

6. In its present text the committee bill constitutes the beginning of a vast policy of Government regulation and supervision of agricultural cooperatives; and an extension of the powers of the board along this line will naturally be sought by the board members from future sessions of Congress.

Unless curative amendments are adopted to the committee bill, our organizations are opposed to its passage.

Respectfully submitted.

CHAS. W. HOLMAN,
Secretary, National Cooperative Milk Producers' Federation.

The National Council of Farmers' Cooperatives, the president of which is Colonel Bingham, of Louisville, and among the prominent members is Governor Lowden, of Illinois, have appealed to this House not to enact this law, not to pass this bill.

[A national service agency maintained by 31 State and district cooperative associations which market the products of 612,000 farmers. Robert W. Bingham, chairman, Louisville, Ky.; Carl Williams, vice chairman, Oklahoma City, Okla.; Curt Anderson, Xenia, Ill.; John Lawler, San Francisco, Calif.; B. E. Chaney, Stuttgart, Ark.; R. E. Cooper, Hopkinsville, Ky.; G. Herbert Foss, Fort Fairfield, Me.; Dr. B. W. Kilgore, Raleigh, N. C.; Frank O. Lowden, Oregon, Ill.; C. O. Moser, Dallas, Tex.; G. A. Norwood, Goldsboro, N. C.; I. O. Rhoades, San Jose, Calif.; A. R. Rule, New York, N. Y.; Aaron Sapiro, Chicago, Ill.; W. H. Settle, Petroleum, Ind.; Dan A. Wallace, St. Paul, Minn.; R. A. Ward, Portland, Oreg.; Walton Peteet, secretary; Robin Hood, director of information; Harold A. Ruby, special representative. Chicago office, 1610 Straus Building.]

NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS,
Washington, D. C., February 17, 1925.

To Members of Congress:

I am directed by the National Council of Farmers' Cooperative Marketing Associations to present our earnest protest against any legislation which will bring cooperative marketing associations under the jurisdiction of a governmental board with power to license, audit, and otherwise control or interfere in their management.

I am attaching a list of members of the national council, and the names of several cooperatives which are not members, but which have asked the national council to represent them in this matter. An examination of these lists will, I believe, convince you that they comprise many of the largest and most representative cooperatives in the United States.

These cooperatives are vitally interested in the success of the cooperative-marketing movement, and their protest is based upon careful study of the many bills on the subject now pending in Congress.

The real cooperatives of the country earnestly ask Congress not to press through in the hurry of the closing days of the session a hastily devised measure which vitally affects their vast and important interests.

Time will not permit me to call upon each Member of Congress and discuss at length our many objections to their legislation, but I will be glad to call on any Member who desires further information concerning our views.

Respectfully,

NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS.
WALTON PETEET, *Secretary.*

MEMBERS OF THE NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS

Arkansas Cotton Growers Cooperative Association, Little Rock, Ark.
Arkansas Rice Growers Cooperative Association, Stuttgart, Ark.
Atlantic Coast Poultry Producers Association, New York, N. Y.
Broomcorn Growers Cooperative Association, Oklahoma City, Okla.
Burley Tobacco Growers Cooperative Association, Lexington, Ky.

California Prune and Apricot Growers Association, San Jose, Calif.
California Peach and Fig Growers Association, Fresno, Calif.
Connecticut Valley Tobacco Association, Hartford, Conn.
Dark Tobacco Growers Cooperative Association, Hopkinsville, Ky.
Egyptian Seed Growers Exchange, Flora, Ill.
Georgia Cotton Growers Cooperative Association, Atlanta, Ga.
Georgia Peanut Growers Cooperative Association, Albany, Ga.
Illinois Fruit Exchange, Centralia, Ill.
Indiana Wheat Growers Association, Indianapolis, Ind.
Maine Potato Growers Exchange, Caribou, Me.
Mid-West Dairymen's Co., Chicago, Ill.
North Carolina Cotton Growers Cooperative Association, Raleigh, N. C.
National Pecan Growers Exchange, Albany, Ga.
Oklahoma Cotton Growers Association, Oklahoma City, Okla.
Oklahoma Wheat Growers Association, Enid, Okla.
Pacific Cooperative Wool Growers, Portland, Oreg.
Pacific Egg Producers (Inc.), New York, N. Y.
Poultry Producers of Central California, San Francisco, Calif.
Poultry Producers of Southern California, Los Angeles, Calif.
South Carolina Cotton Growers Cooperative Association, Columbia, S. C.
Sowega Melon Growers Exchange, Adel, Ga.
Tennessee Cotton Growers Association, Memphis, Tenn.
Texas Farm Bureau Cotton Association, Dallas, Tex.
Texas Wheat Growers Association, Amarillo, Tex.
Tobacco Growers Cooperative Association, Richmond, Va.

NONMEMBER COOPERATIVES REPRESENTED BY THE NATIONAL COUNCIL IN ITS PROTEST AGAINST FEDERAL REGULATION OF COOPERATIVES

Northern Wisconsin Tobacco Pool, Madison, Wis.
Kansas Wheat Growers Association, Wichita, Kans.
Rio Grande Valley Cooperative Association, El Paso, Tex.
Western South Dakota Seed Growers Exchange, Rapid City, S. Dak.
Tri-State Milk Producers Association, Memphis, Tenn.

Resolutions on cooperative marketing legislation adopted by unanimous vote at the third annual meeting of the National Council of Farmers' Cooperative Marketing Associations held in Washington, D. C., January 5–8, 1925:

"We believe that cooperative marketing associations should be organized by the farmers and owned and controlled by them; and in proof of their ability to intelligently and successfully manage their own business when properly organized along lines of sound commodity cooperation we call attention to the fact that there has been a smaller percentage of failures among the cooperative organizations brought into existence in recent years than has been shown in any other business activity in the life of our country. This record of accomplishment conclusively demonstrates the ability of American farmers to organize and successfully manage efficient cooperative marketing associations. Our experience has demonstrated that cooperative marketing associations to be successful must arise naturally out of the needs of farmers, and that it is not wise to artificially stimulate such organizations by any sort of governmental aid, special favoritism, or subsidy. We hold ourselves always open to governmental inspection of methods and operations. We have nothing now to ask from the Government except a sympathetic, understanding administration of the laws and regulations which are already in force for the assistance and supervision of cooperative marketing associations."

Now, gentlemen, it has been said over and over again by men informed on this question, that unless 70 per cent of the farmers come into the cooperative associations they will fail because those who stay out will destroy them. Unless you can get into these cooperative associations 70 per cent they are a failure to begin with, and would be futile from the very start. Only one thing would be accomplished; $500,000 appropriated to begin with. If it were to succeed it has been estimated it would require 75,000 to 100,000 additional Government employees to conduct this business. Now, gentlemen, I call attention to the fact that something was said about the president of the Farm Bureau Federation, a member of the President's commission. He appeared before the committee, and, of course, being a member of the commission was for the bill, but my information is that every organization in every State where the Farm Bureau Federation is flourishing is opposed to this bill. In my own State this is true, as shown by a letter from the secretary-manager of the Louisiana Farm Bureau Federation.

LOUISIANA FARM BUREAU FEDERATION (INC.),
THE FARMERS SERVICE ORGANIZATION,
Baton Rouge, La., February 6, 1925.

Hon. JAMES B. ASWELL, M. C.,
Washington, D. C.

DEAR MR. ASWELL: We note that the President's agricultural commission, in its report to cooperative marketing, proposes that the Capper-Volstead Act be so amended as to give cooperatives the right to make production and orderly marketing programs and authorizing them to join with nonmembers and commercial dealers in making and carrying out their programs.

If we understand this proposal, it would empower commercial dealers and distributors to unite with the cooperative selling associations in formulating and executing production and marketing programs, and hence they would share in all of the privileges, including immunity from the provisions of the antitrust laws.

We note that this commission also recommends the establishment of a Federal marketing board. This board is to have broad power for licensing cooperative-marketing associations; examining their financial conditions and methods and auditing their books twice a year. It also proposes to license clearing houses of cooperatives; to license terminal-marketing associations to be composed of commercial dealers, traders, and distributors.

Permit us to state that our opinion regarding all of these matters is that if Congress will simply pass enabling acts so that the cooperative-selling associations may proceed without embarrassment or undue burden, that the farmers, themselves, will work out a program of orderly production and marketing that will be satisfactory from every standpoint.

We are not favorably inclined at all to any Federal bureaucratic control or regulation. We believe that if a satisfactory solution is reached regarding the agricultural problem, it must be worked out by the farmers themselves. Splendid progress is now being made along this line.

If Government will now simply keep hands off, I think all of the farmers will be satisfied. We believe there are already enough laws to enable farmer-owned and farmer-controlled cooperatives to proceed in a most satisfactory way. We do not like the idea of paternalism from any standpoint. If we have reached the point that Government must begin to take care of the farmers' business, then we believe that our whole educational system is inefficient and that democracy is a failure.

We would be glad if you can see your way clear to assist in defeating any and every measure looking to Government interference in the farmers' business procedure.

Very sincerely yours,

LOUISIANA FARM BUREAU FEDERATION,
HARRY F. KAPP, *Secretary-Manager.*

In the State of Iowa, where the distinguished chairman lives, the Farm Bureau Federation State president came before the committee and earnestly opposed this bill.

Mr. SHERWOOD. From Iowa?

Mr. ASWELL. Yes, sir. I would like to call attention specifically to some things here I want to say accurately.

This bill would conflict with or supersede the cooperative marketing laws in 45 States, as presented by the following:

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF AGRICULTURAL ECONOMICS,
Washington, February 13, 1925.

Hon. JAMES B. ASWELL,
House of Representatives.

DEAR MR. ASWELL: In accordance with your letter of February 12, I am inclosing a statement regarding the cooperative marketing laws enacted in the various States. You will note from this that 45 of the 48 States now have statutes providing for the incorporation of cooperative associations. The exceptions are Delaware, Nevada, and New Hampshire.

A number of these acts are generally similar and these have been indicated in the column headed "Remarks" by the title "Uniform act." Copies of the cooperative acts of Wisconsin, Louisiana, Alabama, Kentucky, North Dakota, and Maryland are inclosed herewith. We do not have duplicate copies of the acts of other States, but I believe those forwarded will give you a general idea of the nature of these statutes.

Yours very truly,

LLOYD S. TENNY,
Acting Chief of Bureau.

(Inclosures.)

NOVEMBER 28, 1924.

State cooperative marketing laws

State	Number of act	Date approved	Remarks
Alabama	No. 31 (S. 59, Rogers)	Oct. 29, 1921	Uniform act.
Arizona	H. B. 164	Mar. 22, 1921	Do.
Arkansas	No. 116	Feb. 14, 1921	Do.
California	Chapters 103, 107	May 4, 1923	Do.
Colorado	Chapter 57	Apr. 12, 1915	Cooperative law.
Do	S. B. 307	Mar. 30, 1923	Uniform act.
Connecticut	Chapter 96, P. A. 1919		Cooperative law.
Do	Sections 3600–9, chapter 251.	June 1, 1923	Uniform act.
Delaware	No law		

State cooperative marketing laws—Continued

State	Number of act	Date approved	Remarks
Florida	Chapter 5958	June 8, 1909	Cooperative law.
Do	Chapter 7384	May 21, 1917	Do.
Do	Chapter 9300		
Do	No. 182	June 7, 1923	Uniform act.
Georgia	No. 279	Aug. 15, 1921	Do.
Idaho	Chapter 124	Feb. 25, 1921	Do.
Illinois		——, 1915	Cooperative law.
Do	S. B. 165	June 21, 1923	Uniform act.
Indiana [1]	S. 430	Mar. 10, 1913	Cooperative law.
Do	S. 302	Mar. 14, 1913	Do.
Iowa	C.A., S.F. 503	Apr. 5, 1921	Do.
Do	H. F. 499	Apr. 9, 1921	Do.
Kansas	Chapter 148	Mar. 21, 1921	Uniform act.
Kentucky	Chapter 1	Jan. 10, 1922	Do.
Louisiana	No. 57	July 13, 1922	Do.
Maine	Chapter 88	May 24, 1923	Do.
Maryland	Article 23, sections 469–496	Apr. 10, 1922	Uniform act (modified).
Massachusetts	Chapter 438	May 23, 1923	Cooperative law (amending ch. 157 of General Laws, 1921).
Michigan	General Corporation Laws, 1921, Part II, chapter 4; Part III, chapter 1.		Cooperative law.
Minnesota	Chapter 131	Apr. 3, 1923	Do.
Do	Chapter 141	Apr. 4, 1923	Do.
Do	Chapter 264	Apr. 16, 1923	Uniform act.
Do	Chapter 284	Apr. 18, 1923	Credit act.
Mississippi	Chapter 179	Mar. 28, 1922	Uniform act.
Do	Chapter 275	Apr. 11, 1924	
Missouri	Revised statute of Missouri, 1919, article 10, chapter 90, amended by H. B. 505–509, 1921, C. S. H. B. 439.	Apr. 9, 1923	Cooperative law uniform act.
Montana	R. C. 1921, sections 4210–4220.		Cooperative law.
Do	Chapters 141, 148	March, 1917	Do.
Do	Chapter 92	Feb. 16, 1921	Do.
Do	Chapter 152	Mar. 5, 1921	Do.
Do	Chapter 233	——do——	Uniform act.
Nebraska	Chapter 198	Apr. 19, 1919	Credit law.
Do	H. R. 574, chapter 28	Apr. 23, 1921	Cooperative law.
Nevada	No law		
New Hampshire	——do——		
New Jersey	Chapter 154	Apr. 12, 1920	Do.
Do	Chapter 12	Feb. 28, 1924	Uniform act.
New Mexico	Chapter 64	Mar. 15, 1915	Cooperative law.
New York	Article 13-A, chapter 655	——, 1919	Membership corporation law.
	Article 3, chapter 454, as amended in chapters 104 and 159, 1920, and 159, 1921.	——, 1913 ——, 1920 ——, 1921	Business corporation law.
	Article 21, 1920	——, 1920	Membership corporation law.
	Chapter 616	May 5, 1924	Uniform act.
North Carolina	Chapter 87	Mar. 7, 1921	Do.
North Dakota	Chapter 43	Mar. 9, 1921	Amending and reenacting former laws.
Do	Chapter 44	Mar. 10, 1921	Uniform act.
Ohio	Am. S. B. 266	Apr. 13, 1922	Uniform act (modified).
Oklahoma	Chapter 147	Apr. 4, 1919	Cooperative law
Do	Chapter 181	Mar. 19, 1923	Uniform act.
Oregon	Chapter 260	Feb. 25, 1921	Cooperative law
Pennsylvania	No. 238	June 12, 1919	Do.
Rhode Island	Chapter 1400	Apr. 15, 1916	Do.
South Carolina	No. 152	Mar. 21, 1915	Uniform act
Do	No. 203	Mar. 24, 1921	Do.
South Dakota	Revised Code, 1919, sections 8839–8853, chapter 15.	Feb. 27, 1921	Cooperat ve law, un form act.
Tennessee	S. B. 290	Mar. 31, 1923	Uniform act.
Texas	Chapter 22	Mar 1, 1921	Do.
Utah	Chapter 6	Feb. 8, 1923	Cooperative law.
Vermont	Title 25, No. 141	Apr. 1, 1915	Do.
Virginia	Chapter 329	Mar. 7, 1914	Do.
Do	Act 61	Feb. 13, 1923	Uniform act.
Washington	Chapter 19	Feb. 28, 1913	Cooperative law.
Do	Chapter 115	Mar. 15, 1921	Uniform act.
West Virginia	Chapte. 53	May 2, 1923	Do.
Wisconsin	Chapter 490	July 6, 1921	Cooperative law.
Wyoming	Chapter 145	Mar 3, 1915	Do.

[1] Uniform act vetoed March, 1923.

This bill embodies the principles unanimously recommended by the agricultural commission appointed by the President.

The members of the President's commission, so far as I have heard, have not been able to agree upon or to explain the meaning of their report in a clear, concise, and understandable manner.

The report contains 10 pages of illogical and indefinite theories endeavoring to show why the farming industry should be taken from the control of its owners and placed under the control of the Government by a Federal system of marketing, including the factors of private operators, commission dealers, jobbers, and speculators.

This bill would create a Federal cooperative marketing board with general powers, and its headquarters would be in Washington, D. C., the salary of each of the five appointed members to be $10,000 a year.

The board would make such rules and regulations as would be necessary to function under the act.

It would appoint and fix salaries for secretary, clerks, experts, officers, employees, and agents without limit.

SPECIAL POWERS OF BOARD

Under its special powers the Federal marketing board would authorize the following subsidiary associations to engage in business:

Organization of cooperative marketing associations by producers.

Cooperative marketing associations are the only associations which are composed of farmers, who are not, however, permitted to direct the shipment or negotiate the sale of a single farm product. Under the provisions of the bill they are confined wholly to preparing, producing, and shipping their products to points designated by clearing house associations, where they are sold by terminal marketing associations.

Organization of clearing house associations.

The clearing house associations need not be composed of and operated by the cooperative marketing associations composed of farmers. The membership of the clearing house and terminal marketing associations is open to all—that is, the terminal marketing and clearing house associations are not exclusively composed of or operated by cooperative marketing associations or members thereof.

Let us see what are the functions of these two deceptive subsidiary organizations intended to blind or mislead the farmer in the thought that they would be helpful while in fact exerting a destructive influence upon his industry.

CLEARING HOUSE ASSOCIATIONS

The bill provides that (sec. 22 (b)):

The functions of the clearing house associations are to regulate shipments and distribution to prevent gluts or famines in any market.

This can only mean that the members of these clearing-house associations, located in different sections of the country, would have the right—when in their opinion there was a surplus of any farm commodity, say, in Cincinnati, New York, Chicago, or hundreds of other large distributing centers—to divert or stop shipments of any such commodity to such central point at the pleasure of the dealer associations.

This Federal authority given to clearing-house associations would include their control of production, shipment, and distribution of agricultural products. Commission men, produce dealers, and brokers in produce as members would give them complete control of the markets through their power to divert thousands upon thousands of cars of products belonging to the farmers as would best suit their interest and their profit. The present organized system monopolizing the products of the farm is destroying agriculture, but with the increased power as proposed under this bill the same interest would have the support of the Federal Government in a manner that was never before attempted in the history of the country.

TERMINAL MARKETING ASSOCIATIONS

The bill provides that (section 22 (b))—

The purpose of a terminal marketing association would be to maintain for handling agricultural products a public market located in any distributing center of such products.

Under this provision the terminal marketing associations would maintain a public market for handling agricultural products, which can only be construed as meaning that terminal marketing associations shall be maintained at every place where agricultural products are sold to the consuming public.

The same term of application for registration of terminal marketing associations, whether or not exclusively composed of or operated by the cooperative marketing associations, is open to all, or anyone who makes application for a terminal marketing association at any place where agricultural products are sold.

Terminal marketing associations and clearing-house associations and the cooperative marketing associations can not be considered separately from the Federal cooperative marketing board. They are all subsidiaries of and must work under the rules and regulations laid down by the Federal cooperative marketing board, and in considering this proposed bill the Federal marketing board, the parent, and the three subsidiary associations must be considered together. They can not function separately.

The ambiguity of the provisions of this bill makes it impossible to understand its real meaning or what it is intended to

accomplish, except to place agriculture under Federal agencies. Certainly there is nothing in it that would benefit either the producer or the consumer. Evidently it is an effort to permit dealers, commission men, and brokers to fill the place of so-called middlemen with the Federal Government supporting them and further depriving the farmer of his equitable share of the dollar paid by consumers for his products.

The bill also provides that the clearing-house associations and terminal marketing associations may do an equal amount of business with nonmembers as with members. That is, the dealers occupying places on the boards of terminal marketing associations or clearing-house associations are extended the privilege of dealing with members of the various associations either as members or as nonmembers. Both doors are open to them and they can every day take their choice of dealing with them as Government associations or ignore them and deal with them independently.

In order to render the farmer still more subservient to the interests dominating the clearing house and terminal marketing associations the cooperative marketing associations must agree, by the terms of its membership, and upon penalty of having such charter revoked, to accept such standards for agricultural products as the Federal marketing board, through the Secretary of Agriculture, may establish.

The producers must also agree under penalty of annulment of their charter to submit to the arbitration by the Federal marketing board in cases where disputes arise between them and clearing house and terminal marketing associations in reference to "grades, standards, conditions, or quantities of any agricultural product." To enforce its decision in these matters the Federal marketing board is permitted, under the provisions of the bill, to bring civil suit in the United States courts.

If it be the one object of this bill to firmly establish the power and the influence of the present system of distribution and marketing of farm products; if it is the desire to so firmly entrench the commission men, the dealers and the produce brokers in their control of the Nation's food supply that they can, with entire propriety and in compliance with the law, advertise themselves as "Federal agents" and call upon the Government for its support in imposing their will upon the farmer and the consumer—then, and only then, can the bill be considered successful in accomplishing the purpose for which it was created.

RECAPITULATION

The Federal cooperative marketing board would be a permanent and controlling power in agriculture. It would impose conditions, make rules, and pass judgments from which there can be no appeal and no recourse. The Supreme Court itself is not vested with more arbitrary or final power.

Of the three subsidiary organizations controlled by the Federal board the farmer is allowed to control but one—and that one can not market farm products. By courtesy this is called a cooperative marketing association.

As a matter of fact it is not a marketing association at all. The producing cooperatives can not sell and are forbidden by the terms of the bill to deliver to the consumer a single farm product. It permits the farmer to plant and reap. The farmer can not become a merchant, under this bill.

The clearing-house association has a membership not confined to farmers or producers. In reality these associations will be dominated by the same men and the same interests who are now engaged in the distribution of the farmers' product.

The bill expressly provides for such contingency when it says (Title II, sec. 5):

> Whether or not exclusively composed of and operated by such cooperative marketing associations, or members thereof, or terminal market association, whether or not exclusively composed of and operated by such cooperative marketing association or members thereof.

The next link in the chain which binds the farmer to industrial servitude is the cooperative terminal marketing association.

The term "cooperative" here does not mean cooperation with the producers or farmers. So far as the farmer is concerned, cooperation with him ceases when he turns his product over to the clearing house association. There is every evidence, however, that 100 per cent cooperation will exist between the clearing house and the terminal marketing associations.

They are engaged in selling the farmers' product. Their interests are identical, but that of the farmer is not. He is in the picture only as the producer and his activities are strictly limited to production.

The actual selling is in the hands of the terminal marketing associations. These associations may operate in every city and town in the United States.

That the business of selling the Nation its food supply may not fall into alien hands, the bill provides an easy way for admitting dealers, brokers, commission men, and others into these associations.

As a result we have the same old system doing business with the farmers in the same old way—one-third to the farmer and two-thirds to the dealer.

In fact, under the provisions of this bill the farmer is "hog-tied." Not only is he completely shut out of the consumers' market, but is threatened with the loss of his charter if he objects, and subjected to a penalty of $25 a day through suit in the United States courts. The entire machinery of the selling end is taken from him and given to the dealers and speculators, and if greater ruin and distress overtake him, the only recourse on earth left him under this bill is to forsake Government cooperation, ask for the annulment of his charter, and again trust his fortunes to the dealers and commission men who have brought him to his present deplorable plight.

Earlier bills of the character of this bill are more candid in their definition of the membership of the clearing house and terminal marketing associations. Thus the bill introduced by Senator CAPPER in the Senate on January 26, 1925, provides that membership in terminal marketing associations may be open equally to—

> representatives of registered cooperative marketing associations, chartered cooperative clearing house associations, cooperative buying associations, wholesale brokers, commission men, and other dealers in, or large consumers of, the agricultural products for which the terminal marketing association is chartered.

This bill tries to soften the penalty of the Capper bill of January 26, but it is only in phraseology to deceive. The Capper bill of January 26 and this bill mean the same.

Having in mind the President's axiom that the farmers must become "merchants as well as producers," it seems incredible that legislation would be offered in this Congress which not only prevents such a consummation of our hopes but would, under this Federal act, tie the farmer to the system which has robbed him and makes his Government the tool of his oppression.

The proposition of real farm relief lies in bringing the farmer and the consumer into closer contact. This bill makes such connection a physical impossibility.

They offer the farmer no privilege that he does not already enjoy and forever dispels his dream of marketing his own products.

This bill does not protect or defend the farmer, but it does entrench and strengthen those interests which have prostrated his industry and brought him to the verge of ruin. It is a dealers' bill, pure and simple.

The Congress should give the farmers a chance by an expression of confidence in the farmer's intelligence and ability to control and manage his own business in production and marketing.

Such legislation as is proposed in this bill is calculated to make the public believe that farmers are incapable and can not be trusted with the management of their business.

Gentlemen, the pending bill is the most damnable bill presented to Congress since I have been a Member. From the farmer's standpoint, it is a "hobby horse" bill, without head or tail, bobbing up and down, getting nowhere, except to upbuild an expensive Federal board here in Washington. [Applause.]

I propose a definite and sound remedy. At the proper time I shall offer a substitute for this Federal control bill. I shall give the House the opportunity of doing a sound, sane, and safe thing, to place the farmer where he can fight on equal terms like other American citizens, free and unencumbered by Government interference. I shall offer the Curtis-Aswell bill, embodying the Yoakum plan. This bill has been deliberately strangled in the House Committee on Agriculture, but it has been unanimously reported favorably by the Senate Committee on Agriculture, and is now on the Senate calendar. I shall offer the Curtis Senate bill, which is the same as the Aswell bill, except the Senate committee amended it helpfully. You will have a chance to vote for the Curtis national cooperative marketing plan, that does not create Federal control at the expense of the taxpayers but places the farmers in control of their own business.

Mr. HAUGEN. Mr. Chairman, I yield 10 minutes to the gentleman from Wisconsin [Mr. VOIGT].

The CHAIRMAN. The gentleman from Wisconsin is recognized for 10 minutes.

Mr. VOIGT. Mr. Chairman, I am strongly for the general purposes of this bill, which are to foster cooperative agencies among farmers, to give those interested in cooperative marketing authentic information and guidance, and by way of some governmental agency to give definite recognition and sympathetic aid to the cooperative movement.

The Agricultural Department through its department Bulletin No. 1302, recently issued, informs us that a year ago we had 10,160 cooperative associations in the United States, which in 1923 did a business of about $2,000,400,000. It is safe to say that at the present time cooperatives are doing a business of close to $3,000,000,000 a year. In April, 1924, all the cooperatives of the country had a membership of slightly over 2,000,000. Sixty-five per cent of the associations were located in the west and east north central States; 30.8 per cent of the associations were organized to handle grain; 19.4 per cent dairy products; 12.1 per cent fruits and vegetable products; and 15.7 per cent livestock.

There is practically unanimity of opinion among those interested in legislation for the betterment of the farmer that the cooperative movement is the greatest agency which the farmers can set in motion themselves. It is not necessary for me to spend time on this thought. Therefore, during the time at my disposal, I wish to point out what to me look like serious objections to some of the provisions in the bill reported by the committee. I shall support this bill even as it stands, but I hope that it will be made a better bill before it becomes law. My objections are to those portions of the bill which appear to be voluntary in form, but which will become compulsory in the administration of the measure.

The bill is so worded that certain privileges are held out to cooperatives to come in under Federal control, and in my judgment no cooperative will long be able to resist efforts on the part of the proposed marketing board to drive it into the Federal system. I see no reason why a cooperative organization should be registered here and by this registration bring itself under the dictation of this board. These cooperatives must be permitted to conduct and develop their own businesses, providing they remain cooperative in principle and keep themselves within the terms of the cooperative act of 1922. We have no more right to control their business than we have business in general.

Right here let me point out a serious defect in the bill. Section 23, page 9, requires that, after a cooperative applies for Federal registration, the Federal board shall be satisfied that the financial standing and business methods of the applicant are sound. Just to cite one instance: The Dairymen's League is an organization with thousands of members, whose business runs into the millions. It paid out $35,000 to install a system of bookkeeping adapted to its business, and it pays annually to expert accountants $15,000 to audit those books. Suppose that organization applied for registration, and the board sitting here at Washington, not in a position to know as much about this business as the managers of it, should say that its method of doing business is not sound, would that not give a black eye to the organization? Why should the board at all pass on the business methods of the organization when the organization is within the law? And how could the board satisfy itself of the financial standing of the organization without an extensive audit? Do we require this of business in general?

The bill says that registration is voluntary. But the bill also holds out many advantages to registered cooperatives. The nonregistered folks are left out in the cold, and to get the advantages, and to overcome the cloud of being a "nonregistered" cast upon them by competitors, they may be driven to register against their wills.

Let me briefly point out the advantages held out to those who register. First, the registrants have a voice in the selection of the members of the board—outsiders do not. Why should not all cooperatives have this voice, if we are legislating for all of them, and they and their members pay taxes? Second, under certain conditions, a registrant may have its books audited free of charge. Third, the bill provides for a sort of an annual convention of cooperatives; but you must be registered if you want an invitation. Fourth, the board may provide for settling disputes among cooperatives by arbitration if they are registered. Fifth, a cooperative may use the term "Federal" on its stationery, if registered.

Why limit these advantages to registered cooperatives? Why not give them to all, if they are to be given at all? I want to see this feature of the bill, which will force these cooperatives under Federal control, cut out. What we should do is to set up an agency here in Washington which will foster cooperation, assist it, give it advice, give it the stamp of Government approval, but not to compel it. Personally I think that all the necessary aid could have been given by increasing the appropriation which is now given to the Department of Agriculture to foster cooperation. We propose to set up two agencies, but I can not oppose this bill because I think there may be a better way of accomplishing the purpose. We have in the Department of Agriculture the finest machinery for helping the cooperative movement. This new board will have to go along for several years before it can assemble the necessary experts already in the department, and it is my judgment that if Congress appropriated $150,000 to the department for this purpose you could accomplish about as much as by the $500,000 provided in this bill, but, of course, you would not do it in as spectacular a way or have something which you could as specifically label "farm relief." [Applause.]

I shall vote for this bill because I am deeply interested in creating an adequate Federal agency to which cooperatives can come for advice and guidance, for surveys of their business, for providing methods of arbitration among all of them, for getting them better prices and avoiding waste by providing for grading of products, but I am seriously opposed to the registration provision and the limiting of benefits only to registrants and the liabilities created by registration. We should not establish a board here which may pass sentence of life and death on these cooperatives. I appeal to the membership of this House to amend the bill by leaving the good features and striking out all that savors of compulsion.

Mr. MORTON D. HULL. Will the gentleman now state the reasons why he is for the bill? Everything he has said has been in criticism of it.

Mr. VOIGT. I make no secret of that, my friend. I am about as closely for this bill and as closely against it as a man can be. I am perfectly frank about that. I am for the bill because I hope that when it is finally passed, if it does pass, that it will be in such form as to stimulate cooperation among the farmers.

Mr. MORTON D. HULL. Will the gentleman yield for a further question?

Mr. VOIGT. Yes.

Mr. MORTON D. HULL. Did I understand the gentleman correctly to say at the very beginning of his speech that he would vote for this bill anyway?

Mr. VOIGT. Yes; I said that I had made up my mind to vote for it because I am interested in cooperation and I want to see more done for it by the Federal Government.

I can not see my way clear to oppose the bill in its entirety, even though it has some provisions to which I am opposed.

Mr. ASWELL. Will the gentleman yield?

Mr. VOIGT. Yes.

Mr. ASWELL. That is the very reason I am against it—that I am interested in cooperation.

Mr. VOIGT. Well, the gentleman has his view and I have mine. If we have got to have a separate agency, which is not entirely satisfactory to me but which will stimulate cooperation, I shall vote for the bill; but I will use my efforts to have it changed.

Mr. WINGO. I want to get the gentleman's opinion on what is intended by the proponents of the bill with reference to maintaining agencies in the marketing centers of the United States. Is it intended that this Federal board will set up these markets to which these registered cooperatives may ship their products for distribution?

Mr. VOIGT. It is intended that cooperative organizations may join hands with distributing agencies which are not cooperative, but it is not intended that the Federal board shall set them up.

It is proposed by the bill that if the marketing agency is composed exclusively of cooperatives, that it shall be exempt from the antitrust laws, but nevertheless subject to the marketing act of February 18, 1922. If the marketing agency is composed of cooperatives and noncooperatives, it is subject to the antitrust laws.

Some question has been raised as to the advisability of permitting cooperatives and noncooperatives to mix in this way. There is, of course, danger that in such a mixed association the old line or noncooperatives will dominate, but it is my opinion that in the present state of the facilities for marketing farm produce, the cooperatives should be permitted to avail themselves of noncooperative agencies.

The CHAIRMAN. The time of the gentleman from Wisconsin has expired.

Mr. HAUGEN. Mr. Chairman, I ask unanimous consent to revise and extend my remarks in the RECORD.

Mr. VOIGT. Mr. Chairman, I make the same request.

Mr. ASWELL. I make the same request, Mr. Chairman.

The CHAIRMAN. The gentleman from Iowa, the gentleman from Wisconsin, and the gentleman from Louisiana ask unanimous consent to revise and extend their remarks. Is there objection?

Mr. WEFALD. Reserving the right to object, I want to ask the gentleman a question.

The CHAIRMAN. The gentleman has not the floor. If the gentleman desires to object to the unanimous-consent request, he can do so.

Mr. WEFALD. The gentleman can yield himself time to answer my question.

Mr. RAMSEYER. Regular order, Mr. Chairman.

The CHAIRMAN. Regular order is demanded. Is there objection.

There was no objection.

Mr. PURNELL. Mr. Chairman, I yield one-half minute to the gentleman from Massachusetts [Mr. CONNERY].

Mr. CONNERY. Mr. Chairman, I wish to call the attention of the House to the fact that I have as my guests to-day in the gallery two Olympic champions, Mr. Joie Ray, the famous American miler, and Mr. Emerson Norton, the decathlon champion. Both of these gentlemen carried the American colors to victory in the Olympic games at Paris in July, 1924. [Applause.]

Mr. ASWELL. Mr. Chairman, I yield 10 minutes to the gentleman from Oklahoma [Mr. SWANK].

Mr. SWANK. Mr. Chairman, and gentlemen of the House, the object of the proposed legislation is to do something for agriculture. This bill was reported for consideration by the principal committee of the House, the Committee on Agriculture, which is engaged in farm legislation. I am glad to be a member of that great committee and believe each member is interested in doing everything that he thinks can be done for the benefit of agriculture. Of course we sometimes differ on what legislation is best adapted to agriculture. Members of Congress on our side of the House often differ on bills when considered, as do Members on your side of the House.

It is a great problem to decide what should and can be done for agriculture. It is not a political subject, but is a question affecting the whole country, the prosperity of which depends upon the farm. When we legislate for agriculture we are legislating for business in general, for there can be no permanent prosperity unless the farmers of the country are reasonably prosperous. Agriculture is our basic and leading industry. Members of Congress, and especially those who come from agricultural districts, know the conditions on the farm and do not need to take it second hand from witnesses. I know as much about agricultural conditions in the district which I have the honor to represent in this body as any person and a good deal more than any witness who has appeared before the committee. I think the same is true of every Member of this House who comes from a farming district.

There are other things that could be done for agriculture. Everything the farmer has to buy with which to make his crops has greatly increased, largely due to the favoritism to certain classes by the enactment of the unfair, discriminating Fordney-McCumber tariff law. The farmer under that law must pay tribute to certain manufacturers in general and the steel and iron industry in particular. Therefore, if you want to do something for the farmer now, repeal that law of special privilege and put our farmers on an equal basis with other business. This session will continue but a few more days, but there is time to repeal that law and let the farmers buy without paying an unfair tax in the form of tariff. Farmers must pay the tariff tax on clothing and articles of wearing apparel of every description, manufactured and composed in chief value of cotton, and not specially provided for. The farmer must pay this tribute to the manufacturers of table, household, and kitchen utensils, composed of iron and steel, unless specially provided for, and the same is true with shovels, spades, scoops, and drainage tools. Our export trade has dwindled from the enormous sum of $8,228,016,317 in 1920 to $4,590,146,873 in 1924. If this Congress would repeal this tariff law or reduce the tariff on the things the farmers must buy, then we would render some real needed benefit to agriculture.

I will not block the consideration of an agricultural bill, and voted for the rule to consider this bill now before the House. It might and could be amended in a way that would not be opposed by the cooperatives and other farm organizations. Therefore I wanted the bill considered. Such measures as this should not be political, for something should be done for the farmers, and something can be done. I supported the McNary-Haugen bill when it was before the House last winter as an emergency measure, and it would have benefited the farmers. I voted for it because I believed it would relieve the situation at that time.

When the bill now under consideration was heard before the committee, Mr. Carey, a member of the President's agricultural conference, in answer to a question as to whether this cooperative marketing measure will mean dollars and cents in the pockets of the farmers in the next two or three years, said:

> Not to a great extent; no, sir. It will be a long-distance policy over a period of years for the future. I do not consider it an emergency measure.

Some of the witnesses before the committee said that in their judgment there would be no noticeable results for five or six years, and perhaps longer.

Subdivision (a) of section 1 provides for appointment of the board as follows:

> Five members appointed by the President, by and with the advice and consent of the Senate, two for a term which shall expire one year after the date of the approval of this act, two for a term which shall expire two years after such date, and one (to be designated as chairman of the board) for a term which shall expire three years after such date.

Under the terms of this section the board appointed by the President will have complete control of the cooperatives of the country, when they come under the provisions of the bill, for two years, and the cooperatives will not be in full control as to appointments until after three years.

In my judgment, if we are going to pass a cooperative marketing bill, it should be one that gives them the right to control their own business. This bill does not do that until three years after the organization of the board, and when their heads are once in the Federal halter, with the numerous employees, it may be a most difficult matter to pull it out again. There are bills pending before the Committee on Agriculture that I believe would be of assistance to the farmers. Any such legislation should permit the cooperatives and farm organizations to name the men who are to manage their business, and then I believe a revolving fund at a small rate of interest, as is provided for in the Curtis-Aswell bill, would be of assistance. Several members of the President's agricultural conference appeared before the committee, and some of them approved other measures. They all impressed me with being able, experienced, conscientious gentlemen.

Mr. Merritt, a member of the President's agricultural conference, stated that he indorsed the Williams bill as amended in accordance with his suggestions. Mr. Jardine also indorsed the Williams bill and said that it seemed to embody the right principles. The bill we are now considering is permissive in name but provides for the registration of cooperatives coming in under the terms of the bill. This will be but a form of discrimination against those that do not register and in favor of those that do register. Subdivision (c) of section 21 provides for the examination of any registered association, and this examination is not upon request of any such association, either. What would be the extent of that examination no witness apearing before the committee has said. Subdivision (c) of section 24 provides a penalty for the violation of any provision of this title of not more than $50 for each day of the violation, and subdivision (c) of section 25 provides a penalty of not more than $100 for each day violations of this section continue. It appears to me that these penalties are somewhat severe.

Mr. Chairman, so far as I now remember, and I think this is correct, but two men connected with large cooperatives have appeared before the committee in approval of this bill. One of these men is Mr. Merritt, president and managing director of the Sun-Maid Raisin Growers Cooperative Marketing Association, of Fresno, Calif., and the other is Mr. Bradfute, president of the American Farm Bureau Federation, and as stated before Mr. Merritt approved the Williams bill.

If I thought that this bill would give any beneficial results to the farmers of the country and they and the cooperatives wanted it, then I would support the measure. But, Mr. Chairman, I believe the cooperatives and the farmers know what they want. They have as much intelligence as any other class or profession as to their needs and desires and through their representatives have expressed their opposition to this bill. The men whom they have selected to represent them do not want this bill enacted into law.

Mr. Batcheller, president of the Farmers' Union of South Dakota, when he was before the committee said that he wanted a system that will place the cooperatives under the control of

the farmers instead of under the control of the Government. Mr. James E. Cashman appeared before the committee representing the Minnesota Farm Bureau Federation and said that the cooperative scheme outlined in the report of the agricultural conference is indefinite, even at best.

Mr. Charles E. Hearst, of Iowa, chairman of the legislative committee of the American Farm Bureau Federation, stated before the committee that he was not asking for any additional cooperative legislation. He submitted the following resolutions:

Resolutions passed by the American Farm Bureau Federation unanimously in December, 1924, at the annual meeting:

"We indorse the principle of the farmers' export corporation created with sufficiently broad powers under Government charter to preserve the domestic market for the American agricultural producer at an American price and instruct our officers and representatives to present those views to the President's agricultural committee and to work for the early enactment of such principles into law."

January 15, 1925, the following resolution was passed by the Iowa Farm Bureau Federation:

We urge that Congress consider favorably the principle of establishing a Government export corporation for farm products embodying the principles of the McNary-Haugen bill. It is our belief that a corporation of this kind will be of great value for developing and maintaining an equitable relationship between the prices resulting from farm products handled as compared to general commodity prices.

He also submitted a resolution adopted unanimously by the house and senate of the Iowa General Assembly, January 21, 1925, as follows:

That we favor the enactment by Congress of legislation for the establishment of farmers' export corporation, vested with such powers as will enable it to divert the surplus of farm commodities so as to make the protective tariff effective in equalizing agriculture with other industries.

Mr. Charles W. Holman stated:

I am secretary of the National Board of Farm Organizations, of which a list of the member organizations and officers is filed; also the secretary of the National Cooperative Milk Producers' Federation, whose list of 28 regional cooperative associations and our officers and directors is filed.

The lists referred to, being letterheads of the organizations referred to, hereto attached, marked "Exhibit A" and "Exhibit B," are as follows:

EXHIBIT A

NATIONAL BOARD OF FARM ORGANIZATIONS

Officers: Charles S. Barrett, chairman; Charles W. Holman, secretary.

Executive committee: John D. Miller, chairman; Charles S. Barrett; Gifford Pinchot; John A. McSparran; and J. H. Kimble.

Member organizations: Farmers' Educational and Cooperative Union of America, Farmers' National Congress, National Agricultural Organization Society, National Conference on Marketing and Farm Credits, Farmers' Society of Equity, National Cooperative Milk Producers' Federation, Wisconsin State Union, American Society of Equity, American Association for Agricultural Legislation, Pennsylvania State Grange, Intermountain Farmers' Association, Farmers' Equity Union, Pennsylvania Rural Progress Association, Florida Citrus Exchange, American Society of Equity.

EXHIBIT B

THE NATIONAL COOPERATIVE MILK PRODUCERS' FEDERATION

Officers: John D. Miller, president; Richard Pattee, first vice president; Harry Hartke, second vice president; Frank P. Willits, treasurer; Charles W. Holman, secretary.

Directors: Butter, C. Bechtelheimer, Waterloo, Iowa; John Brandt, Litchfield, Minn; one vacancy. Condensed milk, etc., J. A. Scollard, Chehalis, Wash.; George W. Slocum, New York, N. Y.; one vacancy. Fluid milk and cream, Richard Pattee, Newton Highlands, Mass.; Harry Hartke, Covington, Ky. Cheese, F. G. Swoboda, Plymouth, Wis.; one vacancy.

Directors at large: John D. Miller, Susquehanna, Pa.; Frank P. Willits, Ward, Pa.; R. Smith Snader, New Windsor, Md.; C. E. Hough, Hartford, Conn.; P. S. Brenneman, Jefferson, Ohio; B. Ashcraft, Cleveland, Ohio; N. P. Hull, Lansing, Mich.; W. F. Schilling, Northfield, Minn.; J. C. Burr, Wauseon, Ohio; one vacancy.

Executive committee: John D. Miller, Richard Pattee, Harry Hartke, Frank P. Willits, N. P. Hull.

Alternates: G. R. Rice, F. G. Swoboda.

Member organizations: Berrien County (Mich.) Milk Producers' Association; Connecticut Milk Producers' Association; Cooperative Pure Milk Association of Cincinnati; Dairymen's Cooperative Sales Co.; Dairymen's League Cooperative Association (Inc.); Des Moines Cooperative Dairy Marketing Association; Farmers Milk Producers' Association of Richmond, Va.; Inter-State Milk Producers' Association; Iowa Cooperative Creamery Secretaries and Managers Association; Kentucky & Indiana Dairies Co.; Maryland State Dairymen's Association; Maryland and Virginia Milk Producers' Association; Michigan Milk Producers' Association; Milk Producers' Association, Chicago district; Milk Producers' Association of Summit County and vicinity; Milk Producers' Association of Central California; Milwaukee Milk Producers' Association; Minnesota Cooperative Creameries Association (Inc.); New England Milk Producers' Association; Northwestern (Ohio) Cooperative Sales Co.; Ohio Farmers' Cooperative Milk Association; San Diego County (Calif.) Milk Producers' Association; Southern Illinois Milk Producers' Association; St. Joseph (Mo.) Milk Producers' Association; Twin City Milk Producers' Association; Twin Ports Dairy Association; United Dairy Association of Washington; Wisconsin Cheese Producers' Federation.

The National Cooperative Milk Producers' Federation represents 300,000 cooperative shippers of milk, selling annually through the member organizations an estimated turnover of milk and its products, including butter and cheese and evaporated milk, as well as fresh milk, of between $400,000,000 and $450,000,000. In speaking I shall attempt, so far as my formal statement is concerned, to reflect no personal views, but only the views of our organization leaders, arrived at in an orderly process of deliberation.

Mr. Holman said that he spoke for the National Cooperative Milk Producers' Federation, which has a membership of 300,000; the Farmers' Union, which has a membership of approximately 300,000: the Pennsylvania Grange, with a membership of 110,000, divided into men, women, and children; and the Farmers' Equity Union, with a membership of 75,000. The Farmers' Equity Union is entirely a cooperative organization, as is the Milk Producers' Federation, and Mr. Holman states that they were unanimous in opposing any compulsion on cooperatives by any Federal organization.

Mr. Schilling, of Minnesota, president Twin City Milk Producers' Association, said that this organization supplied 99 per cent of the milk used in St. Paul and Minneapolis, and that this was a farmers' cooperative organization, the oldest of its kind in America. He said that they did not care to be under the domination of a politically influenced board that is not in sympathy, as a rule, with their workings.

Mr. Sykes, of Iowa, vice president of the National Livestock Producers' Association and their legislative representative, president of the Chicago Producers' Commission Association, and president of the Corn Belt Meat Producers' Association, said that these organizations represented some 300,000 livestock farmers in the Middle West. He said that this bill would not give immediate relief and that it would take five years for it to be worked out in a way that the farmer would get even negligible relief.

Mr. Sapiro, representing the National Council of Farmers' Cooperative Marketing Associations, stated to the committee that he believed any legislation along the lines as set forth in this conference report will be useless and harmful to the existing cooperative organizations and the cooperative marketing movement throughout the United States. Below is the membership of the organization which Mr. Sapiro represents and resolutions which it adopted:

NATIONAL COUNCIL OF FARMERS COOPERATIVE MARKETING ASSOCIATIONS

The members of the National Council of Farmers Cooperative Marketing Association are:

Arkansas Cotton Growers Cooperative Association, Little Rock, Ark.
Arkansas Rice Growers Cooperative Association, Stuttgart, Ark.
Atlantic Coast Poultry Producers Association, New York, N. Y.
Broomeprn Growers Cooperative Association, Oklahoma City, Okla.
Burley Tobacco Growers Cooperative Association, Lexington, Ky.
California Prune and Apricot Growers Association, San Jose, Calif.
California Peach and Fig Growers Association, Fresno, Calif.
Connecticut Valley Tobacco Association, Hartford, Conn.
Dark Tobacco Growers Cooperative Association, Hopkinsville, Ky.
Egyptian Seed Growers Exchange, Flora, Ill.
Georgia Cotton Growers Cooperative Association, Atlanta, Ga.
Georgia Peanut Growers Cooperative Association, Albany, Ga.
Illinois Fruit Exchange, Centralia, Ill.
Indiana Wheat Growers Association, Indianapolis, Ind.
Maine Potato Growers Exchange, Caribou, Me.
Mid-West Dairymen's Co., Chicago, Ill.
North Carolina Cotton Growers Cooperative Association, Raleigh, N. C.
National Pecan Growers Exchange, Albany, Ga.
Oklahoma Cotton Growers Association, Oklahoma City, Okla.
Oklahoma Wheat Growers Association, Enid, Okla.
Pacific Cooperative Wool Growers, Portland, Oreg.
Pacific Egg Producers (Inc.), New York, N. Y.
Poultry Producers of Central California, San Francisco, Calif.

Poultry Producers of Southern California, Los Angeles, Calif.
South Carolina Cotton Growers' Cooperative Association, Columbia, S. C.
Sowega Melon Growers' Exchange, Adel, Ga.
Tennessee Cotton Growers' Association, Memphis, Tenn.
Texas Farm Bureau Cotton Association, Dallas, Tex.
Texas Wheat Growers' Association, Amarillo, Tex.
Tobacco Growers' Cooperative Association, Richmond, Va.

The officers of the National Council of Farmers' Cooperative Marketing Association are: Robert W. Bingham, chairman, Louisville, Ky.; Carl Williams, vice chairman, Oklahoma City, Okla.; Curt Anderson, Xenia, Ill.; B. E. Chaney, Stuttgart, Ark.; R. E. Cooper, Hopkinsville, Ky.; G. Herbert Foss, Fort Fairfield, Me.; Dr. B. W. Kilgore, Raleigh, N. C.; John Lawler, San Francisco, Calif.; Frank O. Lowden, Oregon, Ill.; C. O. Moser, Dallas, Tex.; G. A. Norwood, Goldsboro, N. C.; I. O. Rhoades, San Jose, Calif.; A. R. Rule, New York, N. Y.; Aaron Sapiro, Chicago, Ill.; W. H. Settle, Petroleum, Ind.; Dan A. Wallace, St. Paul, Minn.; R. A. Ward, Portland, Oreg.; Walton Peteet, secretary, Washington, D. C.

The following resolutions were unanimously adopted by the national council of Farmers' Cooperative Marketing Associations at Washington, January 8, 1925:

"*Resolved by the national council of Farmers' Cooperative Marketing Associations (composed of more than 620,000 American farmers who are marketing annually more than $600,000,000 worth of farm products through our member associations)*:

"1. That the principal economic difficulty of farmers at this time continues to be the lack of an efficient system of marketing their products, and that we believe the remedy is a system of cooperative marketing which will enable farmers to carry on marketing processes in commodity groups in ways that will permit orderly selling or merchandising, in place of the wasteful and expensive practice of dumping and blind selling.

"2. We believe that cooperative marketing associations should be organized by farmers and owned and controlled by them; and in proof of their ability to intelligently and successfully manage their own business, when properly organized along lines of sound commodity cooperation, we call attention to the fact that there has been a smaller percentage of failures among the cooperative organizations brought into existence in recent years than has been shown in any other business activity in the life of our country. This record of accomplishment conclusively demonstrates the ability of American farmers to organize and successfully manage efficient cooperative marketing associations. Our experience has demonstrated that cooperative marketing associations to be successful must arise naturally out of the needs of farmers, and that it is not wise to artificially stimulate such organizations by any sort of governmental aid, special favoritism, or subsidy. We hold ourselves always open to governmental inspection of methods and operation. We have nothing now to ask from the Government except a sympathetic, understanding administration of the laws and regulations which are already in force for the assistance and supervision of cooperative marketing associations.

"3. We recognize clearly the need of reducing the spread between the prices paid to agricultural producers and the prices paid by consumers, and we declare it to be the aim of cooperative commodity marketing to reduce this spread by more economical and efficient methods of distribution; and we know that such improved and more efficient methods will eliminate speculation and waste and bring better prices to producers and lower prices to consumers.

"*Resolved*, That we express our deep appreciation of the sympathetic and intelligent support of the President of the United States, the Secretary of Agriculture, the Secretary of Commerce, and of our helpful friends in the Congress and the 35 State legislatures that have enacted the standard cooperative marketing law.

"*Resolved*, That we denounce the false and unwarranted attacks made upon the cooperative marketing movement and its leaders by Henry Ford through his newspaper, the Dearborn Independent. We welcome intelligent, constructive criticism and resent attacks based upon ignorance and inspired by prejudice.

"*Resolved*, That the Federal Trade Commission is a necessary and helpful agency of Government, and that adequate appropriations should be made by the present Congress for its continuance.

"*Resolved*, That we urge Congress to immediately amend what is known as the Cantrill law, covering the subject of compilation of tobacco statistics and information, so that all of the statistics and information required and obtained under said law shall be made available for public inspection.

"*Resolved*, That we petition Congress to direct the Federal Trade Commission to investigate the unfair trade practices, boycotts, and other methods used by the American Tobacco Co. and the Imperial Tobacco Co. of Great Britain in combating the efforts of hundreds of thousands of American tobacco-growing farmers in securing a fair price for their product through cooperative marketing, and that an adequate appropriation be made to conduct such investigation.

"*Resolved*, That we congratulate the farmers of Canada in so speedily organizing the three provincial wheat pools, handling over 50 per cent of the entire wheat crop of Canada; that we wish the Canadian wheat movement success in its efforts to stabilize the wheat market; that we express our sincere appreciation of their courtesy in sending as their representative Mr. A. J. McPhail and thank him for his valuable contribution to the deliberations of this conference; and that we send greetings to Canada's cooperators and pledge them our support in every helpful way.

"*Resolved*, That believing it to be for the general good of the American people, we indorse any legislation by Congress or the States which will encourage research work and education in matters of agricultural economics and cooperative marketing in the agricultural colleges of the various States.

"*Resolved*, That the chairman of the national council be requested to appoint a special committee to present the policies of the council to the President of the United States, to Congress, and to the President's agricultural conference."

The National Cooperative Milk Producers' Federation, in a letter to Members of Congress dated February 19, 1925, said that this bill still contains features objectionable to their member associations and to cooperative associations generally.

Following is a letter to Members of Congress dated February 17, 1925, with a statement from the National Council of Farmers' Cooperative Marketing Associations concerning this bill:

FEBRUARY 17, 1925.

To Members of Congress:

I am directed by the National Council of Farmers' Cooperative Marketing Associations to present our earnest protest against any legislation which will bring cooperative marketing associations under the jurisdiction of a governmental board with power to license, audit, and otherwise control or interfere in their management.

I am attaching a list of members of the national council and the names of several cooperatives which are not members but which have asked the national council to represent them in this matter. An examination of these lists will, I believe, convince you that they comprise many of the largest and most representative cooperatives in the United States.

These cooperatives are vitally interested in the success of the cooperative marketing movement, and their protest is based upon careful study of the many bills on the subject now pending in Congress.

The real cooperatives of the country earnestly ask Congress not to press through in the hurry of the closing days of the session a hastily devised measure which vitally affects their vast and important interests.

Time will not permit me to call upon each Member of Congress and discuss at length our many objections to their legislation, but I will be glad to call on any Member who desires further information concerning our views.

Respectfully,

NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS,
WALTON PETEET, *Secretary*.

MEMBERS OF THE NATIONAL COUNCIL OF FARMERS' COOPERATIVE MARKETING ASSOCIATIONS

Arkansas Cotton Growers' Cooperative Association, Little Rock, Ark.
Arkansas Rice Growers' Cooperative Association, Stuttgart, Ark.
Atlantic Coast Poultry Producers' Association, New York, N. Y.
Broomcorn Growers' Cooperative Association, Oklahoma City, Okla.
Burley Tobacco Growers' Cooperative Association, Lexington, Ky.
California Prune & Apricot Growers' Association, San Jose, Calif.
California Peach & Fig Growers' Association, San Jose, Calif.
Connecticut Valley Tobacco Association, Hartford, Conn.
Dark Tobacco Growers' Cooperative Association, Hopkinsville, Ky.
Egyptian Seed Growers' Exchange, Flora, Ill.
Georgia Cotton Growers' Cooperative Association, Atlanta, Ga.
Georgia Peanut Growers' Cooperative Association, Albany, Ga.
Illinois Fruit Exchange, Centralia, Ill.
Indiana Wheat Growers' Association, Indianapolis, Ind.
Maine Potato Growers' Exchange, Caribou, Me.
Mid-West Dairymen's Co., Chicago, Ill.
North Carolina Cotton Growers' Cooperative Association, Raleigh, N. C.
National Pecan Growers' Exchange, Albany, Ga.
Oklahoma Cotton Growers' Association, Oklahoma City, Okla.
Oklahoma Wheat Growers' Association, Enid, Okla.
Pacific Cooperative Wool Growers, Portland, Oreg.
Pacific Egg Producers (Inc.), New York, N. Y.
Poultry Producers of Central California, San Francisco, Calif.

Poultry Producers of Southern California, Los Angeles, Calif.
South Carolina Cotton Growers' Cooperative Association, Columbia, S. C.
Sowega Melon Growers' Exchange, Adel, Ga.
Tennessee Cotton Growers' Association, Memphis, Tenn.
Texas Farm Bureau Cotton Association, Dallas Tex.
Texas Wheat Growers' Association, Amarillo, Tex.
Tobacco Growers' Cooperative Association, Richmond, Va.

NONMEMBER COOPERATIVES REPRESENTED BY THE NATIONAL COUNCIL IN ITS PROTEST AGAINST FEDERAL REGULATION OF COOPERATIVES

Northern Wisconsin Tobacco Pool, Madison, Wis.
Kansas Wheat Growers' Association, Wichita, Kans.
Rio Grande Valley Cooperative Association, El Paso, Tex.
Western South Dakota Seed Growers' Exchange, Rapid City, S. Dak.
Tri-State Milk Producers' Association, Memphis, Tenn.

Resolutions on cooperative marketing legislation adopted by unanimous vote at the third annual meeting of the National Council of Farmers' Cooperative Marketing Associations held in Washington, D. C., January 5–8, 1925:

"We believe that cooperative marketing associations should be organized by the farmers and owned and controlled by them; and in proof of their ability to intelligently and successfully manage their own business, when properly organized along lines of sound commodity cooperation, we call attention to the fact that there has been a smaller percentage of failures among the cooperative organizations brought into existence in recent years than has been shown in any other business activity in the life of our country. This record of accomplishment conclusively demonstrates the ability of American farmers to organize and successfully manage efficient cooperative marketing associations. Our experience has demonstrated that cooperative marketing associations to be successful must arise naturally out of the needs of farmers, and that it is not wise to artificially stimulate such organizations by any sort of governmental aid, special favoritism, or subsidy. We hold ourselves always open to governmental inspection of methods and operation. We have nothing now to ask from the Government except a sympathetic, understanding administration of the laws and regulations which are already in force for the assistance and supervision of cooperative marketing associations."

Mr. CARTER. Will the gentleman yield?

Mr. SWANK. Yes.

Mr. CARTER. How many appeared in opposition to it?

Mr. SWANK. I have mentioned some of the leading cooperative marketing men who appeared before the committee in opposition to the bill and the resolutions just mentioned. But two cooperative marketing men appeared for the bill and one of them indorsed the Williams bill, as I have stated. The National Council of Farmers' Cooperative Marketing Associations is composed, as the testimony shows, of more than 615,000 growers of the country, doing an annual business of $600,000,000. They do not want this bill enacted into law.

Mr. Chairman and gentlemen of the House, I believe these cooperative marketing associations know what they want. They are doing a great business and will continue to grow and prosper if let alone without Federal interference. I am a great believer in these cooperative marketing organizations and believe they mean much to agriculture. The farmers and producers should receive a fair price for the products of their toil, and I am always ready to support any legislation that is beneficial to our producers, but I am opposed to forcing legislation upon them that they do not want, and am therefore opposed to this bill. [Applause.]

Mr. PURNELL. Mr. Chairman, I yield three minutes to the gentleman from Maine [Mr. HERSEY].

Mr. ASWELL. Mr. Chairman, I yield 20 minutes to the gentleman from Texas [Mr. JONES]. [Applause.]

Mr. JONES. Mr. Chairman and gentlemen of the committee, I do not think this bill should be discussed as a political measure. If a bill is a good thing, and I am convinced it is a good thing, I will support it no matter who may offer it, even if it be offered by my worst enemy. If it is a bad thing, and I think and know the bill is bad, I would not support it even though it were proposed by my best friend. I think that the question here rises above the issue of politics or any political consideration, and the one important question for us to decide is, will the bill be of benefit rather than harm to the farmer? I do not think any political campaign is going to be won or lost on this bill, either one way or the other, so the sole consideration should be, will the bill be of benefit rather than harm?

I have heard all the testimony, or practically all, studied this question somewhat, and I am convinced that the bill will do positive harm, and, therefore, I shall oppose its enactment into law. I want to take up some of the different features of the measure and tell you exactly why I think the bill would do harm rather than do good. This measure does not have all the bad features that the original measure had. I think the committee did some good work in eliminating some of the bad features of the bill.

As it is presented the measure on its face provides for voluntary registration before the Federal board on the part of cooperative associations and the issuance to those organizations of a license. The board which the bill creates is empowered to issue regulations and furnish information, to examine and audit the books of cooperative organizations and compel all of these organizations and their members to submit to compulsory arbitration of all disputes which may arise. Then it provides for the suspension of these cooperative organizations if they violate the rules and regulations which are issued by the board or any provision of the law.

Now, honestly and earnestly I have searched for the farmer in this bill, and I can not find him. I do not see where any good can possibly come to these organizations as provided in this bill. I can see where a good deal of harm could come to them.

Mr. TINCHER rose.

Mr. JONES. I beg the gentleman's pardon; I have a limited time. If I have time after I finish my statement, I shall be glad to yield. If there were any benefits that I could see that would arise, I would not oppose this bill. But listen, this creates a board of five members, an independent board. The President's commission says that there is already friction between the departments of the Government and it is going to cure that friction by creating another bureau, the stated purpose of which, according to Mr. Jardine, who is a very able man [applause], was to jog up these departments and get them to give information to the farmer; but he did not say who is going to jog up the jogging department. Do you think you can heal friction between bureaus by creating a new bureau? Perhaps it is to be a frictionless bureau. I believe everything that could possibly have any merit in this bill could be handled by the present Department of Agriculture if we appropriated a little more for the marketing and cooperative division of that department without the creation of an independent bureau. Here are five men at $10,000 each. I do not know that that is too much, but the whole bill is a mere gesture, costing $10,000 per gesture. Now, just look at the power of this corporation.

Now, what will they do for the farmer? What do they say here? "It shall maintain its principal office in the District of Columbia, it shall have an official seal." That may be of great benefit; the commission did not have its seal. "Shall make an annual report to the Congress." "May make such regulations as are necessary to execute the functions vested in it by this act." "May appoint, without regard to the provisions of the act of January 16, 1883, as amended, and in accordance with the classification act of 1923, fix the salaries of a secretary, such experts and such other officers, employees," and so forth, as it may desire. Those are the general powers of the board. The farmer does not come in there unless he comes in on free advice which the board may give.

Under the special powers it provides that they may apply and be registered. Listen to this question of registration. They may register and be licensed. What is the purpose of the license? Always it is regulation, is it not? If they are not going to be regulated, why license them?

If the bill means anything, it means regulation; and if it does not mean anything, there is no use to pass it. Why license them if you are not going to regulate them? What good will it do to license them? If you are going to license an institution for the purpose of regulating it, well and good; but they do not need to be regulated.

Mr. CONNALLY of Texas. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. CONNALLY of Texas. Was not that the whole thing under the food act during the war—the licensing feature, and under the power to withhold that license they dominated prices and everything else?

Mr. JONES. Yes; that is always the purpose of a licensing system. Then they say it is voluntary. But, listen: If the United States were going to brand every industrial institution that comes to Washington as honest and as selling honest goods, why, any institution would be forced to come to get the stamp put on it, would it not? Of course it would. If they are going to establish an institution here by the Federal Government that is going to say to the cooperative organizations, "You can use the term 'Federal,' and you have honest business methods," it means that every organization must come in, or

else have the brand of Cain placed upon it, and you can not escape that proposition. And anyone that does not come in, in the mind of the public will be classified as one that will not do. Else the public will say, "Why do you not get a license?" That would be true of any business institution, so that it is not a voluntary matter.

Mr. HUDSPETH. Mr. Chairman, will my colleague yield?

Mr. JONES. Yes.

Mr. HUDSPETH. I will be brief. The gentleman represents a cattle district, probably containing more cattle than the district I have the honor to represent. The cattle men are suffering from lack of adequate prices and from excessive freight rates. Wherein does this bill relieve that situation?

Mr. JONES. Oh, this bill will not touch those things at all. And listen: If you cut out the licensing and registration features of this bill, it would be much better. If the board have any information, of course they ought to furnish it to an unlicensed cooperative as well as to a licensed one. But will they do it? Do you believe they will?

Then again, it provides for investigating the books of cooperatives and requires them to make two reports a year, if the board so desires. No business institution makes an inventory ordinarily more than once a year; at least few of them do; and you are sending out a $2,000 clerk to investigate the books of a corporation or a cooperative organization that has found it necessary to hire $10,000 men. Would you send a one-legged man out to teach a Nurmi how to run? Would you send a jaybird out to teach an eagle how to fly? What good would a clerk do who goes out to try to teach these men how to keep their books?

The testimony shows that some of these great organizations had to junk five or six different systems in order to determine what was considered to be the best system of bookkeeping. In selling wheat there are a great many different grades, and in selling cotton there are 10 tenderable grades. They have got to take into consideration the fact that every man who puts his wheat or his cotton in there must get his pro rata part of all that they sell for. It requires a tremendously intricate and well-arranged system of bookkeeping.

Mr. GARBER. Mr. Chairman, will the gentleman yield there?

Mr. JONES. I will be glad to yield later. I want to finish my statement first. I wish I had a chance to discuss every paragraph of this bill.

Now, I want to discuss section 5 on page 15. The original bill introduced here provided for a broadening of the exemption under the Capper-Volstead Act of all cooperative organizations. It was peculiarly drafted. It provided for the exemption of most of those organizations. They already had most of the exemptions.

But it provided that those organizations may associate with themselves independent distributing agencies, and, of course, that would carry the exemption through to the independent distributing agencies and give all of them exemption from the Sherman Anti-trust Act and the antimonopoly laws of this country. An effort was made by the committee to eliminate the provision which exempted independent agencies, but under section 5, on page 15, I want to show you that it is still in the bill. I read from that section:

SEC. 5. (a) That associations qualified under sections 1 to 3, inclusive, of this act may have marketing agencies in common to effect the purposes specified in section 1 (including clearing house and terminal market agencies) whether or not such marketing agencies are registered as members of the Federal cooperative marketing system and whether or not such marketing agencies are exclusively composed of and operated by associations so qualified and/or members thereof.

Now that includes others than cooperative organizations, does it not? Keeping that in mind, observe the provisions of section 6, as follows:

That except as provided in section 5, the provisions of this act shall not be held to relieve any marketing agency specified in subdivision (a) of section 5 from the provisions of the following acts:

"SEC. 6. That except as provided in section 5, the provisions of this act shall not be held to relieve any marketing agency specified in subdivision (a) of section 5 from the provisions of the following acts:

"(a) The act entitled 'An act to protect trade and commerce against unlawful restraints and monopolies,' approved July 2, 1890, as amended, commonly known as the Sherman Act;

"(b) The act entitled 'An act to supplement existing laws against unlawful restraints and monopolies, and for other purposes,' approved October 15, 1914, as amended, commonly known as the Clayton Act;

"(c) Sections 73 to 77, inclusive, of the act entitled 'An act to reduce taxation, to provide revenue for the Government, and for other purposes,' approved August 27, 1894, as amended, commonly known as the Wilson Tariff Act;

"(d) The act entitled 'An act to create a Federal Trade Commission, to define its powers and duties, and for other purposes,' approved September 26, 1914, as amended;

"(e) The packers and stockyards act, 1921;

"(f) Section 316 of the tariff act of 1922; or

"(g) The grain futures act."

In other words, in so far as they can bring themselves within the classification named in section 5, the independent distributing agencies are exempt from those acts; and I just ask you as reasonable men to read section 5, page 15, in connection with section 6, and see if you do not think that practically independent distributing agencies can bring themselves within the terms of exemption, at least by getting in touch with some little pseudo farm cooperative organization.

Mr. JACOBSTEIN. Mr. Chairman, will the gentleman yield?

Mr. JONES. Yes.

Mr. JACOBSTEIN. Do you think that under that the meat packers could so organize themselves?

Mr. JONES. So far as farm products are concerned, some smart lawyer might bring them within the terms of that act, so far as the distribution of farm products is concerned.

I believe that section 5 ought to go out. All the licensing and register features of this bill ought to go out. If you are going to establish a system that gives information to cooperative organizations, let us give it to all of them that are going to operate. Why do you want to make them come down here and get the stamp of approval?

The board may suspend one of these cooperative organizations. That is another bad feature of this bill. If one of them violates the regulations issued by the board, the board may suspend that cooperative organization. You know what that means. That means financial ruin to that organization, no matter how sound it would be. "Ichabod" would be stamped in fatal letters across its forehead, or, to use a Biblical term, you "have been weighed in the balance and found wanting." This board would have the power to suspend and revoke these licenses without even an appeal to the court. I intend to offer an amendment, when we reach the proper place in the bill, giving them the right of appeal to the courts on the question of the suspension and revocation of their licenses. As the bill is written the board might revoke the license of a cooperative organization that was perfectly sound in its financial standing or was perfectly honest in its business management if the board thought it had violated one of its pet regulations. I submit that that kind of authority would be unwise.

I ask again for some one to tell me why you want a voluntary registration and licensing system. Listen. Any cooperative organization that wants to do a dishonest business purposely and intentionally would not come in, would it?

It is not going to come in and have its books audited. And one which does an honest, straightforward, and legitimate business could not afford to come in and could not afford to stay out.

Everything this Congress has done that has been worth while for the farmer has been to clip his cords, the cords that tied him, and turn him loose, not to clip his pinions. The beneficial legislation which this Congress has passed with reference to the farmer as such has been the provisions of the Capper-Volstead law, which removed restrictions instead of tacking on more restrictions. If they did anything under this bill, they would attach restrictions; they would attach regulations and they would do the exact opposite thing to the provisions of the Capper-Volstead Act, which was considered the farmers' charter of liberties. Why do you want to put some more restrictions or regulations on him? Why do you want to extend the never ceasing national tendency of national regulation? If you will turn them loose in so far as their activities are concerned and give them the benefit of such information as may be collected by the Department of Agriculture and the Department of Commerce, they will get much further and do much better than if you undertake to regulate, control, and dictate to them.

In so far as compulsory arbitration is concerned, the board might require that some man come all the way across the country and appear before the board in order to settle a dispute. Every business institution that is worth while if it is operated on a large scale provides its own method of arbitration. The exchanges have their own methods of arbitration; the commission men throughout my country have a system in their own by-laws and regulations by which they conduct their own arbitrations; and I understand that practically every cooperative organization that amounts to anything in this country has its field men and its provisions for settling its disputes with its members. Why take that away from them and put it within the dictation of a Federal board?

Of course, the bill provides that they shall audit the books only on request, but there again you run into the proposition that if you start a system of Government auditing and Government O. K. it will be necessary for practically every organization, in order to satisfy its own members and the public with which it deals, to get that official O. K., and we will be having the O. K. of Federal bookkeepers. That is a tremendous undertaking.

Mr. WEFALD. Will the gentleman yield?

Mr. JONES. Yes.

Mr. WEFALD. Might not some condition arise as arose in connection with the equity society that was doing business in Minnesota and North Dakota, namely, that of imposing upon a cooperative association an audit which would bring about the breaking up of its business?

Mr. JONES. I think that if any such organization should run counter to the rules and regulations laid down by this board that might happen. [Applause.]

I have a letter here from Walton Poteet, secretary of the National Council of Farmers' Cooperative Organizations, which includes a great many organizations, such as the Illinois Fruit Exchange, the Burley Tobacco Growers' Cooperative Association, the Texas Wheat Growers' Association, the California Fruit Growers' Association, and many others, all opposing this bill. Also, a letter from Charles W. Holman, secretary of the National Cooperative Organizations, and many others, objecting specifically to the bill; also, a letter from J. T. Orr, president of the Texas Farm Bureau Cotton Association, and many others that might be named if I but had the time.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. PURNELL. Mr. Chairman, I yield 10 minutes to the gentleman from Michigan [Mr. KETCHAM].

Mr. KETCHAM. Mr. Chairman and members of the committee, it is a commonplace to say that the cooperative movement has become a dominant factor in the agriculture of the Nation. The growth of cooperative agencies in the past few years has been astonishing, and with that growth there has come a demand, both on the part of cooperatives living in States as well as those having an interstate relation, that the State legislatures and the National Congress do something by way of legislative enactment to give encouragement to this great movement.

I think that most of us recall with a considerable degree of pleasure the enactment of the Capper-Volstead Act and its approval by the President in February of 1922. I think that most of us believe that when that act was signed by the President and became a part of our law a great step had been taken in the way of giving Federal recognition to this new form of organization. For the first time, I think, that act marked the writing into the Federal statutes of the word "cooperative" or the word "cooperation," and I am certain that every man throughout the land who has a real, genuine interest in the cooperative movement regarded that as a red-letter day in this great movement which is as yet in its early years.

A remark was made this morning by the distinguished gentleman from Louisiana [Mr. ASWELL] as to the number and extent of cooperative organizations. He referred to 38,000 cooperative organizations. I do not know where he secured his information, but I hold in my hand a statement made by Mr. Tenny, the Assistant Chief of the Bureau of Agricultural Economics in the Department of Agriculture, from which I quote:

> We have in our files records of a little over 10,000 going organizations.

That statement referred to cooperative organizations.

Further, giving some idea of the extent of the cooperative organizations of the country, Mr. Tenny had this interesting statement to make:

> Now, we recognize that a good many of them are distinctively local in character. Some people would not class them as cooperative marketing associations, but they represent groups of farmers that have joined together to do some particular piece of marketing or purchasing work.
>
> I might say that these statistics are separated into cooperative purchasing and cooperative selling. You would be interested, I know, in knowing the results of our figures. Based on pretty accurate statistics, reports from about 65 per cent of the whole 10,000 or so reveal the fact that there is approximately $2,200,000,000 worth of farm business done through the cooperative movement in the United States.
>
> Now, that is eliminating duplication, but covering both cooperative sales and cooperative purchases—approximately $2,200,000,000.

I am very certain, therefore, Mr. Chairman, that when we consider that these organizations number 10,000 and that considering both their buying and their selling activities the total amount of their business reaches the stupendous total of $2,200,000,000 it ought to make us pause and think carefully before any action shall be taken that shall in any way deprive these organizations of every possible help and assistance that may be given them by the Federal Government. Laying aside all political considerations, laying aside all the ambitions that we may have for some particular pet idea of ours, which, of course, we would be very proud to see incorporated into law, in my humble judgment this is the day and this is the hour when every true friend of agriculture will lay aside such consideration and do the very best he can to pass this measure in such form as to give that kind of encouragement. [Applause.]

Gentlemen may inquire what particular reason there is for the step which it is proposed to take in the bill before us for consideration. In my judgment, it will be the second advance step in this great unfolding and development of the cooperative movement in the United States. You will recall that it was with a considerable degree of reluctance that many men in the House brought themselves to the position where they could support the Capper-Volstead Act, believing that the immunities that were granted under that act were rather in the nature of class legislation; but the experience of the past two years, I am sure, has given us full warrant for the enactment of that measure, and now the Committee on Agriculture comes to you and asks that this very moderate step in advance shall be taken, and I am sure your deliberate judgment, if you are friendly to agriculture, will support the judgment of the committee in the measure which they present.

Not being fortunate enough to be a member of that distinguished profession which is so largely represented upon this floor—I refer to the legal profession—I shall not attempt anything in the nature of a legal discussion of the bill itself, but I will simply content myself with a statement of some few things that I think this bill will do.

In the first place, I want to point out to you that the power given this board to grant to certain cooperative organizations, under conditions that may be mentioned, the right to put upon their stationery the word "Federal" is not to be lightly regarded. I recall going up and down the streets of the cities of the country, and I know that whenever a bank has become a member of the Federal reserve system they do not fail to have that little bit of advertisement put on the front window of their bank, and the purpose of it, of course, is to inspire confidence, and I think it has the desired effect. I maintain that the power given in this act to this board to grant to cooperative organizations who shall meet the conditions very moderately imposed by this bill to write upon their stationery and to be regarded as Federal organizations is an advance step; and I want to say to you, gentlemen, that I believe this has been altogether too lightly regarded. Sport has been made of it. Belittling remarks have been offered upon this floor with reference to that particular feature, but in my judgment it is a fine indorsement for these cooperatives to have the word "Federal," representing the power and the authority and indorsement of the Federal Government, put upon the acts of such cooperative organizations.

Time is flying and I shall not have time to mention a number of things which I would desire to speak of in connection with the bill. I am free to confess I can not see the alarm in it that a great number of gentlemen seem to see. The special powers of the board have been enumerated in your hearing, and, as I know, cooperative organizations like to have the very activities mentioned exercised by some authority in which they have confidence. For instance, "to aid in surveys and investigations when application is made by producers for such assistance." Many of these men, believing that cooperation offers a way out for their marketing problems, desire to be advised and to be counseled by the very best authority that can be secured, and instances might be multiplied in your hearing to indicate just exactly how that power, which already exists to a limited extent, has been used, and so I am very sure that the provisions that have been pointed out as alarming and dangerous are not to be found in this bill. [Applause.]

There are many other things which I would like to say to you, but the gavel reminds me that I must conclude, and I shall only ask, Mr. Chairman, the privilege of revising and extending my remarks. In this extension I shall set out some further advantages in the bill and reply to some criticisms that have been offered.

The CHAIRMAN. The gentleman from Michigan asks unanimous consent to revise and extend his remarks. Is there objection?

There was no objection.

Mr. ASWELL. Mr. Chairman, I yield 15 minutes to the gentleman from Missouri [Mr. RUBEY].

Mr. RUBEY. Mr. Chairman, I read in a document here which was sent to us some time ago by the President's conference these words: "Agriculture is the most important industry of America." It seems to me I have heard these words before. [Laughter.] In every schoolhouse in the land, in every assembly of farmers wherever held, in every legislature in every State in the Union where men have spoken on this subject, in every platform promulgated by the various parties in recent years, on the floor of this House, everybody who has spoken in behalf of agriculture, and everywhere, I might say, those words have been used. Therefore I am not going to discuss them now. I think that is one thing that we find in the report of the President's conference upon which we may all agree.

What is the condition of agriculture to-day as compared with its condition a year ago? Many have said that conditions are improving. Newspaper articles have been written, editorials have gone broadcast over the country to the effect that agricultural conditions are getting better and better every day, that prices are higher and that the farmer has once more come into his own. Let me say to you, however, that a careful study of the conditions throughout the land, together with the testimony recently presented to our Committee on Agriculture, will show that to-day agriculture is in just as bad condition as it was a year ago when we were discussing the McNary-Haugen bill here on this floor and in the committee.

Mr. KETCHAM. Will the gentleman permit a suggestion at this point?

Mr. RUBEY. Yes.

Mr. KETCHAM. From the records of the Labor Department I find that the index of agricultural prices one year ago was 1.45, and last December it was 1.56, while prices of general commodities are the same. I thought the gentleman might like to have that in view of the statement he has just made.

Mr. RUBEY. There is no question about that. I thank the gentleman for his statement. It proves my position absolutely.

At this point in my speech, Mr. Chairman, I wish to insert some tables showing the prices paid by the farmers and their families for machinery, food, and clothing out in the central west in 1914, and the prices they paid for the same articles in 1924. I therefore ask the privilege of extending my remarks in the RECORD.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. RUBEY. The following tables are self-explanatory:

A comparison of the 1914 buying and selling prices, and 10 years later, 1924, buying and selling prices from the Kansas farmers' standpoint

Implements	1914	1924
Hand corn sheller	$8.00	$17.50
Walking cultivator	18.00	38.00
Riding cultivator	25.00	62.00
1-row lister	36.00	89.50
Sulky plow	40.00	75.00
3-section harrow	18.00	41.00
Corn planter	50.00	83.50
Mowing machine	45.00	95.00
Self-dump hayrake	28.00	55.00
Wagon box	16.00	36.00
Farm wagon	85.00	150.00
Grain drill	85.00	165.00
2-row stalk cutter	45.00	110.00
Grain binder	150.00	225.00
2-row corn disk	38.00	95.00
Walking plow, 14-inch	14.00	28.00
Harness, per set	40.00	75.00

Average annual wholesale prices

	1914	1923	Per cent
Granulated sugar, per pound	$0.047	$0.084	78
Cotton goods, viz:			
Print cloths, per yard	.030	.075	150
Calico standard, per yard	.049	.10	104
Percale, S, per yard	.068	.148	118
Drillings, brown, peperell, per yard	.079	.178	116
Flannels, colored, per yard	.102	.215	110
Ginghams, Amoskeag, per yard	.063	.143	128
Muslin, bleached, fruit of the loom, per yard	.091	.185	110
Sheeting, brown, peperell, per yard	.069	.152	120
Sheeting, bleached, peperell, per yard	.253	.505	100
Ticking, A. C. A., per yard	.133	.291	119
Blankets, 2 pounds to pair, per pair	.640	1.468	131
Woolen goods, viz:			
Flannels, Ballard Vale, per yard	.455	1.017	122
Suiting, clay worsted, 16-ounce, per yard	1.283	3.240	154
Suiting, Middlesex, per yard	1.459	3.623	148
Suiting, serge, 11-ounce, per yard	1.078	2.604	140
Dress goods, French serge, per yard	.305	.753	149
Dress goods, storm serge, per yard	.500	1.024	104
Dress goods, poplar cloth, per yard	.190	.363	91
Dress goods, Sicilian cloth, per yard	.281	.633	124

I call to your attention five great American industries; they are agriculture, manufacturing, labor, transportation, and finance. With the single exception of agriculture special legislation for the benefit of each one of these industries has been enacted by Congress.

The Fordney-McCumber high protective tariff took care of the manufacturers. The immigration law, the Adamson law, and many other pieces of legislation were of inestimable benefit to labor. All of this labor legislation had my hearty support.

Transportation was aided, materially aided, in the passage of the Esch-Cummins bill, which, by the way, did not meet with my approval.

The big financial institutions of the country have been materially aided by the McFadden bill recently passed. In my opinion this measure will open wide the door for branch banking and give the large banking institutions an opportunity, which they long have sought, by means of which they will put the small independent banks out of business and gain for themselves a monopoly of the financial business of the country.

Whenever legislation relating to any of these great industries is before the Congress their representatives are here, and if, perchance, when the next Congress assembles the chairman of the Ways and Means Committee should put out an interview to the effect that the tariff would be revised—that the members of the Ways and Means Committee would meet at once for the consideration of a tariff revision measure—the representatives of the great manufacturing interests of the country would at once get busy. We would have a repetition of scenes that have occurred here before. Men elegantly dressed, with stovepipe hats and walking sticks, would be seen going up and down the corridors of the Capitol visiting the offices of the Members, greater in number than we have seen here for a long, long time.

We have now before us a measure affecting the railroads. Their representatives are here and propaganda is being received by every Member urging us to vote against that legislation. I have been actively urging that a bill be passed to reduce freight rates on agricultural products, and, in my opinion, that is the measure that ought to be passed.

We came before you last Congress urging legislation for this great industry—agriculture—and that legislation was denied. We urged at that time the passing of legislation that would place agriculture on an equality with labor and other industries and brought in a bill providing for an export corporation. A similar measure is before the Agricultural Committee now with many objectionable features eliminated. It will be reported to this House. Pass that bill, give us an export corporation bill, and you will do something worth while for agriculture.

I state here and now that this great and most important industry has been and is still in a most deplorable condition. This was undisputed when this House discussed agricultural legislation at its last session. It was further proved by the fact that when the great political parties met to formulate their appeals to the American people through the medium of their recent platforms every one of them pledged themselves to remedial legislation. The candidates for President in their letters of acceptance and other campaign utterances pledged themselves to immediate legislation that would bring relief to agriculture throughout the land. The farmer's condition is growing worse and worse. It has in thousands of cases become unbearable, with high prices for the things he buys and with low prices for what he sells. They are leaving the farms and going into the cities to take whatever kind of work they can get. At the last session of Congress we passed an immigration bill; we voted for it because we did not want the country overrun with immigrants from southern Europe.

The labor organizations urged Congress to pass that immigration bill, but for a different reason; they did not want those kind of people to come over here and compete with them. The big labor organizations may look well to their laurels, competition is coming to them from a different source—immigration from the farm to the city—a great army of high-class citizens born and reared on American farms, strong and healthy, patriotic and high-minded men who love America and her fine country life but who are driven from their chosen occupation by the present deplorable and unbearable conditions.

In my own State last fall I started out one morning to make a trip of 25 miles and I concluded that I would count the number of vacant houses. I did not keep a written memorandum of them and in a little while I lost count of how many I had passed, but in many instances the farms had been abandoned and turned over to the mortgagors. We have nearly 30,000 vacant farms in Missouri alone.

What of the financial conditions? I phoned yesterday afternoon to the Comptroller of the Currency and asked him how many banks had failed during the month of January this year. He replied, after looking it up, that 82 banks had failed in the United States during the first month of the year 1925—17 national banks and 65 State banks. If that ratio keeps up during the next 11 months you will have more bank failures in the United States than were ever known in a similar time in the history of our Government.

I voted last year for legislation for the American farmer. I am one of those men who voted for the McNary-Haugen bill. [Applause.] I have no apologies to make, and I had less reason to apologize after our national convention in New York City indorsed it, and came out in its platform squarely for an export corporation to handle our export surplus products. I felt glad that I had regained my standing among some of my party friends who had opposed the bill; and you, my Republican friends, when your convention met in Cleveland, you placed in as a part of your platform an indorsement of the proposition to put agriculture on an equality with industry and labor, thus indorsing the underlying principles of the McNary-Haugen bill.

The successful candidate for President in his letter of acceptance, and in his subsequent speeches made both prior to and after the election, pledged himself to bring relief to the farmers throughout the land. His party had made that same pledge in its platform. It had gone further and had promised specifically "to bring back a balanced condition between agriculture, industry, and labor," and further "to the development and enactment of measures which will place the agricultural interests of America on a basis of economic equality with other industry to insure its prosperity and success." Having made these utterances, and having been elected upon such a platform, I was very much disappointed that our President did not come before Congress when it first convened in December and urge upon that body the necessity of immediately enacting into law legislation required to put the platform pledges into effect. Instead of doing that and having Congress act at once, he said that he would appoint an agricultural conference, composed of the most eminent and experienced agriculturists he could find, and he named that conference. It was promulgated throughout the land, through the press, that he had appointed that agricultural conference, and millions of farmers heaved a sigh of relief. There came to them at once a great hope that the extremely serious conditions which confronted them would be alleviated and that these gentlemen, appointed by the President, would suggest some remedial legislation to the President, and through him to Congress, which would put them upon their feet again. This distinguished conference met, and I use the word "distinguished" not lightly, but seriously and advisedly, because it is well known that the men appointed by the President were high-class, experienced men, and men who were interested in the success of American agriculture. When they began their work, therefore, there were great expectations that out of their work would come recommendations that would result in legislation that would be of immediate benefit to agriculture. They gave the subject their most earnest and serious consideration. For weeks and weeks they labored, and finally on the 28th of January they submitted their report to the President of the United States.

I have read and studied this report carefully, from the beginning to the end, and no doubt the Members have given it the same careful and thorough consideration, and I challenge any Member to point out to me a sentence or paragraph in the report, from the first line to the last line, that will bring immediate relief to American agriculture. When this report went to the country and its recommendations were read and understood, there was everywhere disappointment among the farm organizations and the farmers of the country.

For nearly three weeks the Agricultural Committee of the House has been giving this bill, and the President's report, their most careful and candid consideration. Hearings have been held every day. We have had before our committee members of the conference, representatives from farm cooperative organizations, and others representing other phases of agriculture, and we have covered many, many pages of testimony embodying in a broad way the serious conditions of agriculture and proposed remedial legislation. The chairman and other members of the conference came before our committee, gave their testimony and discussed the proposed measure at length. Not a single member of that conference suggested that there was anything in their report that would bring immediate relief to agriculture anywhere. It was their candid opinion that it would take from three to five years to put into effect their proposition to establish a national Federal cooperative board; that is, to bring it into cooperation with the great cooperative organizations throughout the country.

Our Committee on Agriculture has endeavored to put into legislative form the recommendations the President's conference has made in regard to the establishment of a Federal cooperative marketing system. For a number of years the farmers have been establishing cooperative organizations. It has been said by some who oppose legislation of any kind that the farmers of the country must help themselves, that Congress can not do anything to aid them.

I do not agree with this position; and yet, if it were true, the one great plan by which the farmers can help themselves is by cooperative organizations. I have not only favored cooperation among the farmers but in every instance where legislation has been proposed giving aid to such organizations I have given it my most hearty and enthusiastic support. Every other industry organizes and cooperates; why not the farmers? The farmers are widely separated; they can not get together as readily as those connected with other industries, which makes it all the more necessary that they should have their cooperative organizations, hold frequent meetings, work in sincere harmony, and thus bring about conditions which will be for their own advantage.

The farmers in the State of Missouri are as well organized as in any State in the Union. Their organization, however, is not perfect; no cooperative organization is perfect. It requires constant work among the farmers themselves; and the nearer the farmers' organization becomes the perfect, 100 per cent organization the better it will be for those composing such an organization. It is hoped by the enactment of this legislation that there will be created at the Capital of the Nation a cooperative marketing board which will be able to cooperate and give aid and assistance to the farmers' cooperative organizations throughout the Nation.

In my work in the preparation of this bill I have endeavored in every way possible to eliminate all drastic provisions of the measure and make it purely a voluntary proposition. I believe it was so intended by this conference which made its recommendation. The success of cooperative marketing depends upon the farmers themselves and upon the men who are at the head of each and every such organization. The board here at Washington, however, may be able to give material assistance to the weaker organizations and may assist in the formation of other organizations.

The committee brings you a bill that I am going to support. I do it on the broad ground that American agriculture everywhere has been asking for help and relief. This legislation will not solve the farmer's difficulties; other legislation will be necessary. The President told the farmers that he would give them a conference of distinguished agriculturists who would investigate and make recommendations. That conference has reported, and if there is any good in the legislation proposed let the farmers have the benefit of it. [Applause.] I do not propose to throw a stone in the way and so I shall vote to give them the legislation that they are asking for, and if they get no benefit from it they can not lay the blame on me. [Applause.]

Mr. AYRES. Will the gentleman yield?

Mr. RUBEY. Yes.

Mr. AYRES. The gentleman seems to think, judging by his remarks, that they are giving the farmer absent treatment. [Laughter.]

Mr. RUBEY. Yes; it might be called by that name; they have not had anything but absent treatment for the past several years. I hope, however, that this legislation will bring some relief, and to do that we must get just as close to the farmer as possible.

Now, there are some amendments I shall offer when the bill is read under the five-minute rule. I want this measure to be one where the board will work in harmony with the various cooperative organizations throughout the United States.

There is one provision in this bill which I think the committee when it studies the question carefully will be willing to have changed. That is the provision referred to by my friend from Texas, the arbitration and settlement of disputes. This bill provides that the Federal cooperative marketing board shall formulate a plan for settling arbitrations and disputes, and when that plan is fixed and determined every registered cooperative organization in the United States shall submit disputes and abide by its award. I believe the board ought to formulate a plan for the settlement of disputes but it ought to be optional with each and every one of the cooperative organizations as to whether or not they shall avail themselves of the board's plan of settlement. If they do apply and avail

themselves of the board's plan of arbitration and settlement, then of course they should abide by the awards. There are more than 10,000 cooperative organizations, many of them already have their own plans and agreements for settling disputes and certainly they should not be compelled to submit to a plan of arbitration gotten up by the Federal board. There are some other amendments, two others, I have in mind, which I hope may be agreed to.

Mr. GARBER. Will the gentleman yield?

Mr. RUBEY. I will.

Mr. GARBER. Outside of the exemptions from the anti-trust act what provision is there in that bill which any of the cooperative associations of the country indorse? I have received protests from the Oklahoma Cotton Growers Association and from the Oklahoma Wheat Growers Association, composed of about 12,000 members, protesting against the passage of this bill, and the gentleman is recognized as a conscientious student on the subject and has had the advantages of hearing the witnesses and representatives of the cooperative organizations. What constructive legislation is it that they are generally agreed upon? I ask the gentleman for information.

Mr. RUBEY. I thank the gentleman for his compliment. It is true that the cooperative organizations throughout the country seem to be opposed to this bill. It is a purely voluntary system, and it seems to me that the mere stating of that fact will show beyond any doubt that it will not do them any harm. I am perfectly willing to make it available to them. Let them have it. Those who want it will come into the organization and those who do not want it will stay out of the organization. That is all there is to it.

Mr. JOHNSON of Texas. Will the gentleman yield?

Mr. RUBEY. I will.

Mr. JOHNSON of Texas. I was impressed by the suggestion made by the gentleman from Texas that the purpose of this bill might be accomplished by delegating authority to the Department of Agriculture without creating another bureau.

Mr. RUBEY. There is no question but what that could be done.

Mr. JOHNSON of Texas. Would it not save a great deal of expense by avoiding the creation of another bureau?

Mr. RUBEY. But this conference had an opportunity to study that plan. They do not want that. They want some new organization. So far as I am concerned, I say let them have it.

Mr. JOHNSON of Texas. Is it not true that bureaus once established keep growing rather than are discontinued?

Mr. RUBEY. Well, there is a good deal of truth in what the gentleman is saying. I am going to vote for it; I am going to give the conference what it asks for. I repeat, the President has called a conference to investigate and make report; that conference has reported; if there is anything good in the legislation proposed let the American farmers have the benefit of it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from Michigan [Mr. WILLIAMS]. [Applause.]

Mr. WILLIAMS of Michigan. Mr. Chairman and gentlemen, for a long time I have been interested in cooperative marketing as affording the most promise of help for the farmer. For something like two years I have been actively engaged in studying this subject. During the last year I have introduced several bills in Congress proposing to carry out some of the ideas that I have thus developed. I am very glad, indeed, to say that I find in the report of the President's Agricultural Conference and in this bill a great many of the suggestions and ideas which were developed by me during this period. I feel that the Agricultural Committee of this House, in the short time available to it, has done a fine piece of work in taking the report of the President's commission and the suggestions from other sources and molding them into a workable proposition for the encouragement of cooperative marketing which we now have before this House, and I am pleased to give this measure my hearty support.

I feel that in some respects this bill does not go far enough, and in one particular will propose an amendment to the bill to more completely carry out the recommendations of the President's conference. Whether that amendment is adopted or not, I shall support this measure as an important move in the right direction. There has always been a great difference of opinion as to what can and should be done for agriculture. The farmers have not agreed, Members of Congress have not agreed, and of course, there has been no doubt a difference of opinion among the members of the committee itself. This very afternoon one gentleman opposing this measure said this bill is a mere gesture, that the cooperatives will not come in. Another gentleman, in whose judgment I have great confidence, tells us that he believes that they will come in, and as a matter of fact, that they will be compelled to do so. I hope they will, because if there is any one thing the cooperative movement needs it is to coordinate the efforts of these ten thousand or more cooperatives throughout the country.

Mr. WATKINS. Will the gentleman yield?

Mr. WILLIAMS of Michigan. That number of cooperatives includes a great many local associations which are entirely powerless to effect any real results unless their efforts are coordinated with other associations in the same line and that deal with the same commodity. I will now yield to the gentleman.

Mr. WATKINS. Could the gentleman give briefly the difference, if there is any, between the Capper-Williams bill, the gentleman's bill, and the bill before us, H. R. 12348?

Mr. WILLIAMS of Michigan. That will lead us off into quite a long discussion.

Mr. WATKINS. Is there any very large difference?

Mr. WILLIAMS of Michigan. There is no great radical difference, but there is one particular in which I fear the committee has not fully taken advantage of the suggestions of the conference. We have in this measure a provision for the arbitration of disputes. I regard that as one of the most important features of this proposal, and yet as this bill stands before us to-day its provisions apply only to the cooperative organizations themselves.

Now, the clearing-house organizations provided for in this bill will not generally dispose of products to each other. The local cooperatives will not dispose of products to each other. The local cooperatives will not ordinarily sell to the clearing houses. The latter will act only as selling agents for groups of local cooperatives. And so the arbitration feature will not apply to transactions between any of these organizations. The only place where it will apply in this bill before us is where sales are made to the cooperative terminal marketing associations which are provided for in this bill. But we know that to-day there is practically no such thing as cooperative terminal marketing associations, and I believe that it will be impossible for the farmers of this country in your lifetime or mine to set up marketing machinery in the great commercial centers that will enable them to find a market and carry their products to the ultimate consumer.

What will be the result? It will be that the cooperative selling organizations will be compelled to sell, as they do to-day, to the ordinary commercial institutions handling products of that kind in the terminal centers. [Applause.]

There are upward of 250,000 retail grocery stores and more than 4,000 wholesale grocery houses with a corresponding number of brokers and commission men now engaged in distributing food products originating on the farms to the ultimate consumers of the country. It would be hopeless to expect that cooperative terminal market associations could be organized within any reasonable period to handle the tremendous volume of business involved. To adequately distribute agricultural products at the terminal centers requires large capital and a specialized knowledge of such markets. This problem for the present is entirely beyond the reach of the farmers. The time may come when it can be dealt with by them, but that time is not now at hand. The farmers have a sufficiently great problem before them in coordinating their selling efforts to the intermediate and terminal markets. To accomplish this will mean the orderly marketing of their products. The determination as to the quantity of farm products that should be offered for sale to meet demand should be in the hands of the farmers and their representatives. This bill sets up the machinery for accomplishing this. However, when it fails to take into recognition the great commercial organizations dealing with farm products and carries only a provision for cooperatively owned and managed terminal market organizations it fails not only to carry out the recommendations of the President's agricultural conference, but as well the business and common-sense side of the situation.

While it is true that in section 202 of title 2, that portion of the bill dealing with amendments to existing law, section 5 is added to the Capper-Volstead Act, and this proposed section 5 provides that cooperative organizations may have marketing agencies in common, yet this only weakly refers to and attempts to cope with the situation. These marketing agencies in common could only be sales representatives of the cooperative organizations representing the producers of the products. These agencies would only be what the term "agency" implies. They would not be the wholesale or retail buyer of such products at terminal market points.

The most crying need from the farmers' standpoint is for regulated terminal markets. In the amendment which I will offer in due time, and which I hope then to discuss more at

length, there will be a provision for regulated terminal market associations or exchanges at the commercial centers. My amendment will in no way interfere or be out of harmony with the structure of the bill as it has come from the committee of the House. It will fit into the committee bill in every particular. The amendment will not give to these proposed commercial terminal market associations or exchanges any immunities whatever under any existing law designed to prevent monopolies in restraint of trade or any existing law like the Capper-Volstead Act, designed to protect and further the interests of cooperative organizations. The amendment will, however, provide for the licensing by the Federal cooperating marketing board of commercial exchanges thus provided for upon the agreement by such exchanges to have such rules and regulations as may be approved by the board to protect the sellers—cooperatives—so that they may be assured of the financial responsibility and business conduct of the members of such exchanges. It will also provide that in order to secure a license such commercial exchanges must agree for themselves and their members that all disputes as to grades or standards or with reference to the shipment of goods will be arbitrated in a way that will be provided by the Federal board and that such exchanges and their members will abide by the result of such arbitrations.

If we could have thoroughly regulated terminal markets, especially as to perishables, as is provided for in my amendment—and, by the way, the amendment applies only to perishable agricultural products—it would do more in itself to encourage and assist the cooperative marketing movement than this whole bill will do without an adequate provision for such regulated commercial terminal markets. Furthermore, my amendment is directly in line with paragraph No. 5 of the report of the President's conference dealing with the subject of cooperative marketing, and is in line with the statement of members of such conference who discussed this subject before the committee of this House.

Referring again to the question propounded me by the gentleman from Oregon [Mr. WATKINS], I may say that after the report of the President's conference was made public I eliminated certain features of my bill and made a few minor changes to bring it into line with such report as I understood it. Later Mr. Merritt, a member of the commission, in a statement to the committee of the House suggested some further slight changes in my bill. Mr. Merritt in his statement to the House committee then said:

> In my opinion the Williams bill, with the amendments stated, would meet the broad principles outlined by the President's agricultural conference in its report to the President.

Later Doctor Jardine, also a member of the President's agricultural conference and recently appointed Secretary of Agriculture, in testifying before committee and in referring to the Williams bill said:

> I indorse the principles that have been embodied in there, because they include the principles that we have made in our recommendations, and I understood that the Williams measure has been built around those principles.

Mr. Aaron Sapiro, who is widely known in the cooperative marketing movement, and whose business it is to organize cooperatives and to counsel them, although being opposed to all legislation dealing with cooperatives, in testifying before the House Committee on Agriculture stated:

> I am referring to the Williams bill solely and wholly because the Williams bill directly parallels the recommendations of the agricultural conference.

The committee bill which we now have before us (H. R. 12348), introduced by Mr. HAUGEN, chairman of the committee, measurably carries out also the recommendations of the President's conference, except as to the matter of the regulation of terminal markets, to which I have already referred, although it does this in different language, and the general structure of the bill naturally is different.

I am supporting this bill for the reason that it provides for advice and assistance to farmers in the organization of primary cooperatives and will bring to them without expense the best thought and experience of the country upon this subject; that it provides for audits, even though the same are not compulsory, and for statements as to financial condition, as this feature will, in my judgment, go a long way in safeguarding against incompetent management and lack of capital, which today constitute great obstacles in the proper development of the cooperative movement; that it provides for the grouping of local cooperatives in any given line of production in clearing houses organized and managed by such local cooperatives, which will thus afford a volume of business sufficient to justify the employment of a skilled manager for the sale of such products; that it looks toward the coordination of the efforts of such clearing-house associations, so as to provide for orderly marketing in the best markets available and prevent gluts and famines; that it provides for the registering of cooperatives and bringing the sales efforts as to any commodity into country-wide coordination; that it provides for the arbitration of disputes as to shipments, and if the amendment which I have proposed is adopted, will give the producers the benefit of a thoroughly regulated terminal market and thus make the arbitration features fully protective; that it will bring the individual farmer closer to the problems of distribution and marketing, and thus awaken him more than ever before to the necessity of producing more nearly in accord with available market demand, and will lead inevitably to a better diversification of crops and an elevation of the farmer's occupation from a business standpoint; that it will enable producers, acting with their cooperative selling organizations, to more intelligently and definitely plan for production programs.

I am for this bill also because in no way does it put the Government into business, and under it there will be no price fixing, and prices will be regulated by economic conditions involving demand and supply. I am supporting this bill also because it represents an intelligent effort in what I regard as the proper direction for normal legislation to take. It will give the farmer a chance to do for himself and under his own management the things that business men and manufacturers are doing for themselves. As other gentlemen have said, this bill, if enacted into legislation, can not be expected to solve all of the problems of agriculture. It will, however, I believe, pave the way for the bettering of conditions and will enable the farmer to more nearly attain the level of other elements of society than any other kind of legislation that we could adopt.

Mr. ASWELL. Mr. Chairman, I yield three minutes to the gentleman from Louisiana [Mr. O'CONNOR].

The CHAIRMAN. The gentleman from Louisiana is recognized for three minutes.

Mr. O'CONNOR of Louisiana. Mr. Chairman, I shall vote against this bill which is now under discussion. It is entitled "An act to create a Federal cooperative marketing board, to provide for the registration of cooperative marketing, clearing house, and terminal marketing organizations, and for other purposes." It is clear to me from the debate that the measure has not been whipped into such shape that it is satisfactory or convincing to all of the members of the Agricultural Committee. I do not think that the committee could have done much better when we consider that they were endeavoring, as far as consistent with their own profound convictions on the subject, to carry out the ideas and the recommendations made by the conference assembled by the President, which were lacking, strange to say, in the sympathetic support of thousands of cooperative organizations now in existence, and which have increased and multiplied so rapidly as to develop internal problems which require regulation, control, and solution—for that is apparently the prime purpose of the pending measure. It is intended to be a bill to regulate and thereby facilitate the proper growth of these cooperative organizations.

No one will deny that the purpose of the proponents of the bill is a laudable one. But many well-informed legislators, who have given the better part of their time and talent throughout a long congressional period to the solution of agricultural problems, deny that that purpose can be achieved through a bill which is substantially denounced as a half baked and poorly confected measure. Foremost among these is my distinguished colleague, Doctor ASWELL, who for years has been one of the leading figures in the public, educational, and agricultural life of Louisiana. His name is a household word in every school district in that grand old State; his distinguished public career is a subject of pride to all Louisianians; his devotion to the farmers of the country and his ceaseless, unending, indefatigable, unbending, and resolute efforts to secure justice for the tillers of the soil and thereby promote the welfare of his country as a whole have made for him an enduring national reputation. Years ago his penetrating eye discovered the great truth announced in the oft repeated but ever stirring, inspiring, and warning lines of Goldsmith:

> Ill fares the land to hastening ills a prey
> Where wealth accumulates and men decay.
> Princes and lords may flourish or may fade
> A breath can make them as a breath has made,
> But a bold yeomanry, their country's pride
> When once destroyed can never be supplied.

Which reminds me of a double-page cartoon or picture in the New York Life during the war. I often thought it should have been copied and distributed by millions through some patriotic organization and sent to every family in America, so that when properly framed it could be hung in a conspicuous place and its message always be in the minds of our people. It represented humanity in the persons of our youngest, bravest, and fairest of men and women being prematurely hurried to their death and their country's annihilation, smothered and crushed by a mountain of gold, silver, and paper dollars. Burn down your city and the country will build it up, but destroy your country and the grass will soon grow in the streets of your city, expressed a monition familiar to the mind of my patriotic colleague long before it was so brilliantly and eloquently announced in Chicago in 1896. Him I will follow on this measure. Unlike many who have spoken for it and damned it with faint praise, and others who have timidly criticized it as unworkable, he has assailed it as a true antagonist in his characteristically vigorous and forceful manner. Unconfused by any false hopes, fearing not false lights, and scorning all sophistry, he has denounced it as a damnable delusion and snare. He will not hold out to the farmers of the country a promise which he knows can never be made a realization through the operation of this bill, should it ever be enacted into law.

I shall not dwell too long on this subject, for I feel that the Representatives of the rural or agricultural districts feel that it is one that is peculiarly their own and that as much time should be given them to discuss the provisions of the measure as possible. I do not mean by this statement to waive the rights of city Members to inquire how the consumers in the great centers of population will be affected by this proposed legislation. I know that it is extremely difficult to throw much light upon the vast, intricate, baffling, and puzzling problems affecting agriculture to-day. Would that I could. I do not console myself with the reflection that my colleagues are not much wiser than myself in this respect. I would that one of them did possess the magician's wand, with a wave of which he could make unbounded prosperity and read a nation's gratitude in its eyes.

But there are some problems, Mr. Chairman, that will always apparently baffle human wisdom for a long time. Eventually, however, persistency conquers and the way to success is won. Toil and study, if they produce nothing else will convince their devotees that there is no royal road to success, and that fame, fortune, or even a bare competence, must be earned by work, thrift, sacrifice, and prudence.

I do not mean by this that our farmers are lacking in thrift, prudence, and sacrifice. It is merely a vagrant thought suggested by the experiences of a lifetime. The Department of Agriculture with its vast machinery, its students and experts of every phase of agriculture, convention of farmers held annually will find a way that will at least improve present conditions. For no effort to reach the goal ever entirely failed. Discussion will lead to a solution of our problems. For it is on the anvil of discussion that the spark of truth will fly. I hope before a vote is taken on the bill that some member of the committee will say a word as to whether or not the million of consumers were ever mentioned or thought of in the consideration of this bill. For in my judgment it is essential to preserve some good understanding between the producer and the consumer, between the farmer and his customer.

The gentleman from Ohio [Mr. BRAND] is the only one that has touched upon that relationship up to this time, which is near the close of general debate on the bill.

Though city born and city reared I am not altogether unfamiliar with the country, nor the handling of some of its great products. Years ago I was employed in a cotton house in New Orleans and through that connection gained an intimate knowledge of the cotton trade, from the time we advanced the money for the planting and making of the crop until the cotton was finally sold by us and the proceeds placed to the credit of our farmer client, extinguishing his indebtedness and leaving a balance when he made a good crop. I left the cotton room 30 years ago. I have watched our efforts to pour old wine into new bottles. I have often wondered whether we have made any real progress during those years, any progress that resulted in a saving to the farmer or planter as we call him. Sometimes I think that we can not improve very much upon the old system, an honest commission merchant and a thrifty farmer who knows now the value of diversification.

I reiterate the belief that the people are opposed to the enactment of any bill creating new boards or new departments of the Federal Government. There is a widespread understanding that the Bureau of Economics of the Department of Agriculture by experience and knowledge of existing needs are fully qualified to handle all the practical and economically sound activities covered by any of the proposed laws dealing with the creation, control, and regulation of cooperative marketing associations, cooperative clearing-house associations, and terminal market associations handling agricultural products. Students of these problems believe that they should be solved not by the Federal Government but by the industry itself aided and advised by the Department of Agriculture as opportunity or necessity permits or requires. I believe it is conceded that whenever any product reaches the point where returns are attractive production of that particular commodity is sure to increase and result in a surplus eventually and certainly. No agency, private, cooperative, or governmental, can handle an oversupply of a product and obtain normal values. Neither cooperative marketing nor any other agency devised by the Government or individuals can raise the price of a commodity beyond the limitations of the law of supply and demand except by creating an artificial demand at the expense of some other commodity or by holding the surplus in storage until a short crop permits its sale.

Evidently there is a great deal of misinformation with reference to the position and economic necessity of the middleman. The report of the Joint Committee on Agricultural Inquiry, submitted on October 15, 1921, proves conclusively that the distributing agency between producer and retailer is not receiving an undue amount for its services. The great difference between what the producer receives and what the consumer pays lies not between the producer and the middleman but between the retailer and the consumer. And this is entirely justifiable and due to the unusual and extraordinary service demanded by the average American family. While the spread between what the retailer pays and receives is wide, the profit is not unduly large in view of the heavy expense in rendering the service demanded. In our large cities most of our people live in small homes, where there are no facilities for storage, and purchases have to be made from day to day. The housewife, therefore, must depend upon her grocer to store fruits and vegetables for her rather than buy in quantities and store them herself.

If she occupied a large house with storage facilities she would have to pay more rent, and the landlord would get what now goes to the grocer man, and she would lose by the deterioration of her surplus. If the Government should attend the marketing of one commodity, why not attempt the marketing of all? The adoption of such a policy means communism, and very few of us want that. This country has been built up by its factories, mines, and merchants, great and small, as well as by the farmer. You can not build up one class without taking from some other class. If left alone, each will work out its own problems without disturbing the whole. We should never lose sight of the fact that the law of supply and demand is just as fixed as the law of gravitation, and is as necessary.

Mr. Chairman, I feel that this measure will not be of any benefit to the toiling tiller of the soil. It certainly will not be of any advantage to the country at large. But I do know something that will be of value to the farmer and to the country, and it is to express that something that I have asked for the privilege of addressing you. Good roads, good waterways, good railways. I hope I live to see the day they will be unified and made into one great transportation system, each helping out the other and strengthening the whole. I hope I live to see the day when we shall have near-full rivers the year around, under a proper control system, instead of terrible floods for a month or two and then a shallowness that prevents a full and proper navigation. A near-full river the year around would save to our farmers in freight charges hundreds of millions of dollars yearly. We can secure that most desirable result by perfecting and enacting a flood-control policy. I ofttimes wonder why the American people, particularly the inhabitants of the Mississippi Valley, have not moved up in this matter more expeditiously, more determinedly, when it is clearly obvious that they can, by their great social, agricultural, financial, and political strength, order such legislation as will destroy and annihilate the feeble policy which makes for the destruction of millions of dollars of property through uncontrolled floods, and establish in its stead a comprehensive system of control that will make even the desert parts of our country to blossom as the rose. I hope to hear some day from one of the finest figures in Congress on this intensely interesting and alluringly attractive subject to everyone dwelling between the Alleghenies and the Rocky Mountains.

That figure is my distinguished colleague and friend, Judge W. G. SEARS of Nebraska. A great lawyer, jurist, and legislator. In a few words he recently painted to me as pleasing

a prospect as was ever stretched before my eyes. He pictured a great belt 500 miles wide and 2,000 miles long west of the Mississippi River that could indeed be made a land flowing with milk and honey, a land of eternal and everlasting hope and promise if waters that are now going to waste, and occasionally destructive influences, could be controlled and directed to wet the lands of that great stretch of country whose productivity would be increased more than a hundred million dollars a year as a result of the well-regulated flow he has in mind. The development of our waterways, Mr. Chairman, is a subject of such vital importance that it will not down.

Before I close let me quote a statement made by our colleague [Mr. ANTHONY] in presenting the migratory bird bill to the House a few days ago. With the touch of a true literary artist he has conveyed a fact which must awaken the profound thought of his countrymen from coast to coast. Read his words and then think, permitting your imagination to fly whither so ever it will:

> Owing to the fact that there are but few places in this country for these birds in their annual migration either to nest or to breed, and owing to the fact that nearly 5,000,000 men each year go out with guns to slaughter them, without adequate protection these birds are bound in a few years to disappear unless the Government protects them properly. Within the last 20 years it has been estimated that 71,000,000 acres of land in this country have been drained. This territory that has been drained has been largely the home of wild fowl, where they have nested and fed in past times. We have drained an area as large as the Great Lakes; we have drained an area twice as large as the New England States; but we have not thereby added 71,000,000 acres to the agricultural resources of the country, because it has been found that nearly one-third of the drained land has been worthless for agriculture. But we have destroyed the value of the land drained as a home for migratory wild fowl.

In other words, an area equal to a great inland sea has been drained and is therefore no longer a reservoir for waters that must to some extent add to the excess which now produce floods in all of the streams, affluents, tributaries, and rivers that finally flow into the Mississippi. And this great river, the father of waters, passes through New Orleans, the last city on its banks and nearest to the Gulf of Mexico. Every lake that dries up, every reservoir that disappears as a result of drainage or otherwise, every village, town, hamlet, and city that improves its drainage system and thereby discharges its waste more rapidly, every tree that falls, every forest that is cleared aggravates and accentuates the flood peril of New Orleans.

Mr. ASWELL. Mr. Chairman, I yield five minutes to the gentleman from Texas [Mr. BLANTON].

The CHAIRMAN. The gentleman from Texas is recognized for five minutes.

Mr. BLANTON. Mr. Chairman, the gentleman from Kansas [Mr. TINCHER] is not only a great party man, but if we were to believe the reports we hear, he is likewise a big man in a party. [Laughter.]

When I mentioned the fact earlier in this debate to-day that he was distinguished here for passing a so-called antigambling bill, I unfortunately mentioned "cotton" in connection with it instead of "grain," and he immediately got up and said that he never was the author of any such bill. He did not tell you that it was a so-called antigambling "grain bill" instead of a cotton one. He was the author of the bill that for a while at least made the farmers in Kansas, but nowhere else, believe it was going to stop gambling in grain. But when the act was passed it simply stopped gambling at night, not in the daytime. [Laughter.] For, like other people, gamblers, of course, want to sleep at night.

He says in the Congressional Directory that besides practicing law he is quite a farmer and a stock raiser. It reminds me of a custom that used to prevail among some young fellows out in west Texas, when they would put up their shingle bearing the professional advertisement, "Land, law, livestock, and insurance agent." [Laughter.] When you want a real lawyer you do not go to those fellows.

This question of camouflaging the farmers also came up when the gentleman from Kansas had his so-called antigambling bill up. The gentleman from Missouri, Mr. Ellis, who is an orthodox Republican and who is coming back here next Congress—and he is one of your Republican leaders from Kansas City, Mo.—speaking then in 1922 of Mr. TINCHER, of Kansas, and his so-called antigambling bill, criticized our colleague from Kansas severely, and from the RECORD I quote the following excerpts, to wit:

> Mr. ELLIS. The gentleman will recall his argument of last year, that trading in futures is essentially gambling. In fact, I think he will admit he used those two words interchangeably—trading in futures and gambling.
>
> Mr. TINCHER. I never used them interchangeably.
>
> Mr. ELLIS. I will take the trouble a little later to read you the argument and show that you did.
>
> Mr. TINCHER. I yielded to the gentleman for a question.

He wanted Mr. Ellis to stop right there, but Mr. Ellis did not stop. This orthodox Republican from Missouri, Mr. Ellis, then got the congressional record of our friend from Kansas, our great party man and our big man at a party [Mr. TINCHER], and he read the record of what the gentleman from Kansas had said in a former debate in 1921, and I now read from page 9419 of the RECORD for June 26, 1922, certain excerpts from the quotations which Mr. Ellis then inserted there from the speech the gentleman from Kansas [Mr. TINCHER] made in 1921, as follows, to wit:

> Mr. TINCHER. * * * During the war the trading in futures in grain was prohibited by law. * * * That has enlightened the American people considerably upon the necessity of gambling in food products. * * * The very day that the grain exchanges began to gamble in grain that day the fluctuations were manifest.

Does not that show that he used the terms interchangeably? Does not that show that he was speaking against gambling in farmer's products? Does that not show that Mr. Ellis was right? Mr. Ellis also said, "I want you to know that when it comes to executing the backward somersault the gentleman from Kansas [Mr. TINCHER] is some gymnast." [Laughter.]

Then what else in this RECORD does Mr. Ellis say? Mr. Ellis, from Missouri, this orthodox Republican, then also said——

The CHAIRMAN. The time of the gentleman from Texas has expired.

Mr. BLANTON. I ask the gentleman from Louisiana to please give me two minutes more so that I may read this very interesting paragraph from the RECORD.

Mr. ASWELL. Mr. Chairman, I yield the gentleman two additional minutes.

Mr. BLANTON. You know, the gentleman from Kansas [Mr. TINCHER] is from the seventh Kansas district, and I am now going to quote from the RECORD what Mr. Ellis then said:

> These gentlemen from Kansas by this bill stage a rennaissance. The agitation which finds expression in this legislative proposal began in the old seventh district at a time when Kansan Populists were drunken with power. This bill is a hang over from the Populistic spree that painted red the whole State of Kansas. At the height of that economic delirium, in the wildest hour of the political debauch, the Populists of the "old seventh" made the destruction of the grain exchanges of the country a major scheme on their program.
>
> These same Populists proposed to reform the courts by abolishing the lawyers.

Maybe that is the reason our friend TINCHER from the "seventh district" took to farming and stock raising. But let me quote orthodox Republican Ellis further:

> They made a spectacular start right there in the "old seventh." They elected to be judge of the district court, a court of unlimited jurisdiction, a farmer who neither had been admitted to the bar nor pretended to the slightest knowledge of the law.
>
> * * * * * * *
>
> The point I make is that the spirit of Populism survived in the "bloody seventh," and the scheme to destroy the grain exchanges or snatch them from their lawful owners has persisted. The gentleman from Kansas [Mr. TINCHER] himself told us last year during the consideration of his bill how the famous Jerry Simpson was at first commissioned to do the job.

I want to tell the gentleman from Kansas, this "great party man" and this "big man at a party," that the farmers of the country are tired of camouflages; they are tired of subterfuges. Even the Populist farmers in the old "bloody seventh district of Kansas" want a real bill. When for them you bring in an antigambling bill they want one that will prevent gambling in the daytime, and not one that just stops gambling in the nighttime.

And when you bring in a so-called "farmers' bill" like this do not subterfuge and camouflage the issue with a bill providing $10,000 per year jobs for lobbyists, but give them a real farmers' bill.

The CHAIRMAN. The time of the gentleman from Texas has again expired.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from Nebraska [Mr. MCLAUGHLIN].

Mr. McLAUGHLIN of Nebraska. Mr. Chairman and gentlemen of the House, I shall support this cooperative marketing bill. I believe it has merit. I believe it will assist in helping the various cooperatives to get together and function together, and since it is the recommendation of the agricultural commission and has been reported out of the Agricultural Committee unanimously, as a member of the committee I expect to support it.

Mr. CONNALLY of Texas. Not unanimously?

Mr. McLAUGHLIN of Nebraska. Yes; reported out unanimously.

Mr. CONNALLY of Texas. Out of the committee?

Mr. McLAUGHLIN of Nebraska. Yes.

Mr. KINCHELOE. If the gentleman will yield, it was not reported unanimously. I reserved the right to oppose the bill on the floor and to file a minority report, and would have filed a minority report if it had not been railroaded through.

Mr. McLAUGHLIN of Nebraska. That is true; but there was not a dissenting vote against it when it was voted out. The chairman announced that the vote was unanimous. However, the gentleman from Kentucky did ask the privilege of filing a minority report.

Mr. JONES. I am sure the gentleman does not want to mislead the committee, because the chairman did not announce that the vote was unanimous.

Mr. McSWEENEY. Mr. Chairman, the gentleman from Illinois [Mr. DOYLE] wished to be recorded against the bill and left his vote against it with the committee.

Mr. CHINDBLOM. Mr. Chairman, I make the point of order that the proceedings in the committee are not appropriate subjects for discussion on the floor.

The CHAIRMAN. The point of order is well taken.

Mr. CONNALLY of Texas. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. CONNALLY of Texas. If that be true, then the remarks of the gentleman from Nebraska as to how the bill was reported out by the committee should also be stricken out.

Mr. TINCHER. Mr. Chairman, I make a point of order against that.

The CHAIRMAN. The gentleman from Nebraska will proceed. The Chair has no authority to strike out.

Mr. CONNALLY of Texas. But the Chair assumed to say that the point of order was well taken.

The CHAIRMAN. The point of order made by the gentleman from Illinois [Mr. CHINDBLOM] is sustained, and the gentleman from Nebraska will proceed.

Mr. RAYBURN. Mr. Chairman, a parliamentary inquiry.

The CHAIRMAN. The gentleman will state it.

Mr. RAYBURN. Is it against the rules of this House for a member of a committee to state what the vote was on the reporting out of a bill or the nonreporting out of a bill?

The CHAIRMAN. That was not the question before the committee.

Mr. RAYBURN. But that is a parliamentary inquiry, and that is all these gentlemen were seeking to do.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I can not yield further for this colloquy and have it come out of my time.

The CHAIRMAN. The gentleman from Nebraska has the floor and will proceed.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, while I am in favor of this cooperative marketing bill, I wish to state to the committee that there is another matter to which I desire to call attention very briefly at this time, and on which a great deal of propaganda is coming to this House. As I stated here not long ago, for almost two years others and myself attempted to get hearings before the Interstate and Foreign Commerce Committee on the repeal of the Pullman surcharge. We were repeatedly told by the chairman that hearings would not be held and that such legislation would not be considered. As a last resort, Senator ROBINSON——

Mr. GARRETT of Tennessee. Mr. Chairman, I rise to a question of order. I do not object to the gentleman speaking out of order if he wishes to do so, and I do not object to the subject he is discussing, but the rule provides that debate shall be confined to this bill.

Mr. McLAUGHLIN of Michigan. Mr. Chairman, I was told by the chairman of this committee that the rule did not so provide.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the gentleman may proceed out of order.

Mr. SNELL. Of course, the rule provides that, but the gentleman from Texas [Mr. BLANTON] did not confine his remarks to the bill; he confined them entirely to the gentleman from Kansas [Mr. TINCHER], and nobody objected.

Mr. GARRETT of Tennessee. I am not making any objection now, except that I think the gentleman should ask unanimous consent to proceed out of order.

The CHAIRMAN. The gentleman did not ask to proceed out of order.

Mr. WINGO. Mr. Chairman, I ask unanimous consent that the gentleman be permitted to speak out of order. He ought to be permitted to speak of this matter.

The CHAIRMAN. The gentleman from Arkansas asks unanimous consent that the gentleman from Nebraska may proceed out of order. Is there objection?

Mr. SNELL. Mr. Chairman, reserving the right to object, I shall not object this time, but I do think, as long as the request was made for an additional hour on this bill, that we should confine the debate to the subject matter of the bill. I shall object in the future unless the debate is confined as provided in the rule.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. WINGO. The gentleman is discussing a matter that is going to come up, and that is the reason I think he ought to have an opportunity to discuss it.

Mr. McLAUGHLIN of Nebraska. After the amendment had been passed in the Senate by a vote of 56 to 8, attached to the independent offices appropriation bill, a hearing was called very hurriedly by the chairman of the Interstate and Foreign Commerce Committee, and since that time there have been letters and telegrams and various kinds of propaganda coming to the Members of the House, to the effect that if the Pullman surcharge is removed, which will take away some $37,000,000 of revenue from the railroads, it will be impossible to have a reduction of freight rates.

Now, Members of the House, there are some facts and figures in connection with this question which I think ought to be considered very seriously before we pay much attention to such propaganda. I would remind you of the fact that the railroads right now, and for a number of years past, are fighting the farmers on their application for a reduction of freight rates, just the same as they are fighting the removal of this surcharge. They are doing that right now before the Interstate Commerce Committee.

Mr. RAYBURN. Will the gentleman yield right there?

Mr. McLAUGHLIN of Nebraska. Just for a question.

Mr. RAYBURN. If Congress is going to legislate on rates, which does the gentleman think would be more proper, to reduce the rates of freight on farm products or on the de luxe end of the traffic, the Pullman charge?

Mr. McLAUGHLIN of Nebraska. I will say to the gentleman I do not share the opinion of some others that Congress is legislating on rates. If Congress passes this bill making it unlawful to collect this surcharge, they are simply acting on a principle. The whole thing is wrong, and there is no justification for it at all. I am for reduction of freight rates, but this matter of the surcharge is before us now.

The CHAIRMAN. The time of the gentleman from Nebraska has expired.

Mr. McLAUGHLIN of Nebraska. Mr. Chairman, I ask unanimous consent to revise and extend my remarks.

The CHAIRMAN. Is there objection?

There was no objection.

Mr. McLAUGHLIN of Nebraska. The hearings before the Interstate Commerce Commission, as well as before the House committee, revealed the undisputed fact that it costs the carriers 3½ per cent less on the average to haul Pullman cars than it does to haul day coaches. What justification, then, can the roads have for this surcharge? Congress is not legislating rates by the proposed repeal of this surcharge, but is only saying to the commission that rates must be made on the basis of the cost of service and the profit allowed under the act of 1920.

On the question of rate making I submit for your consideration a statement submitted to me by Mr. D. K. Clink, secretary of the United Commercial Travelers:

With reference to rate making by Congress I can not say that I would favor it, but in this surcharge case we see nothing of a rate-making tendency. On the contrary, we prefer that the rate-making power rest with the commission created for that purpose, but we condemn as inimical to the best interests of both passenger and freight traffic the surcharge principle here involved. When a rate is decided upon by the rate-making body and published according to law, that rate should stand until revised in the proper manner without resort to

a subterfuge as indicated by the present surcharge affecting sleeping and parlor cars. You are not rate making nor dictating what rates should be, but simply placing your stamp of disapproval upon surcharge methods by eliminating the present surcharge and making it unlawful to attach a surcharge to any rate or part of a rate published in legal form. There is no evidence that if you eliminate the present surcharge you would be depriving the carriers of a legitimate $37,000,000 a year. If it were so, the carriers have a remedy through the regular rate-making body and the rate made decisive without resort to a surcharge, which is establishing a dangerous precedent in railroad rate making, which, in our opinion, is contrary to the fundamentals of the transportation act and illegal. You are not rate making, but insisting that rates shall be made without reference to the surcharge which has no place in scientific rate making.

Much has been said about requiring Congress to review in a few hours a voluminous record made by the commission over a period of many months, and repeated emphasis has been placed upon the alleged fact that a bill abolishing the surcharge is a bill making rates. There is no occasion whatever for the Congress to review the record before the commission, or even the opinion of the commission. It is concerned with one point: Should the Congress as a matter of policy continue the surcharge method of making rates? And the answer is "No." The act to regulate commerce originally passed, and every one of its amendments down to the present date, is merely a delegation of power from the Congress to the Interstate Commerce Commission, and nearly every amendment that has ever been passed has resulted in a change of some kind in the rates, but the Congress has not been making rates. It has simply been outlining the policy under which the Interstate Commerce Commission proceeded and did raise or reduce rates as the occasion required. There is nothing in this bill which says to the Interstate Commerce Commission: You shall or shall not allow the carriers to charge a certain fare or a different fare for passengers riding in Pullmans from that charged passengers riding in day coaches. All that this bill will say, if it is enacted, is: You continue as in the past to fix reasonable rates for the transportation of passengers, and if you find that those riding in Pullmans get more service from the railroads and should pay more, make a rate which will reflect that additional service, but do not do it by means of a surcharge, which is a percentage proposition conceived in war time to discourage travel and fastened upon after war time by the Interstate Commerce Commission in a search for additional revenue made necessary by an increase in wages allowed by the Railroad Labor Board.

With this bill enacted into law the railroads would be obliged to go to the Interstate Commerce Commission and show how much additional service they are performing for the passengers in Pullman cars and ask for an increase which would reflect that additional service. They would be obliged to justify any such increase, but as long as the surcharge method stays they are not obliged to justify it; and they did not justify it in the case recently decided by the commission, which is open to only one interpretation, namely, that four members of the commission condemn the charge in full and two members believe it is twice as great as it should be. That makes six members, a majority of the Interstate Commerce Commission, who are to-day opposed to the present surcharge. Numerous interpretations are being made of the opinion of the commission, but the fact remains, and it can not be disputed, that a majority of the commission do not agree with the so-called majority opinion which finds the present surcharge not unreasonable. Four members say that it should come off entirely and two more say that it should be reduced by half, leaving only five members of the commission who are in favor of continuing it at its present rate.

In the bill now before you we are not asking you to make rates. We do not ask you to say that 3.6 cents per mile is or is not a correct passenger fare for those riding in day coaches or in Pullmans. We do not ask you to say that the present fare paid to the Pullman Co. for its accommodations and services is or is not a proper charge. All that we ask you for in the present bill is to say to the Interstate Commerce Commission that in the making of passenger rates in the future you desire them to eliminate the surcharge because that method is unscientific and obnoxious in the extreme to the entire traveling public. You are simply outlining in this bill the policy which the commission shall pursue in making future rates, just as you outlined the policy of allowing rates that would produce a fair return upon a fair valuation.

In deciding this question it is not necessary for you to review the evidence before the Interstate Commerce Commission or to consider the voluminous exhibits which have been filed. That is a matter for the commission to handle. Your function is legislative and not judicial, and I repeat that there is nothing in this bill which in any way takes from the commission its jurisdiction to require just and reasonable fares. It simply outlines to the commission one method of raising revenue which it must not use, and it does that because that method has proven unsatisfactory to the traveling public, because it is the last of the so-called war taxes, and because it undoubtedly was adopted by the commission after it had been abandoned simply as a measure of raising revenue in an emergency brought about after war time but nevertheless because of war conditions, which no longer exist.

D. K. CLINK.

Mr. Chairman and gentlemen of the committee, we should remind ourselves at this time when the railroads are urging that this $37,000,000 a year revenue derived from the surcharge must be made up somewhere else, that when the present rates were established in 1920, that such rates were agreed upon with the understanding that the increase in railroad wages would amount to $618,000,000 a year. The facts show that the increase in 1920, the wage increase, was only $564,500,000, leaving a profit to the roads of $53,500,000 for the year 1920. Between 1920 and 1923 the wages were reduced $576,000,000. From 1923 to the present time these reductions in wages paid are over $600,000,000 a year, and yet the rates are the same as in 1920, when the transportation act went into effect.

In this connection, I wish to submit to the membership a letter written to the New York Times by William G. Adams, executive secretary of the National Council of Traveling Salesmen:

FEBRUARY 13, 1925.

EDITOR, NEW YORK TIMES,
Times Building, Times Square, New York.

DEAR SIR: We have noted your editorial reference to the Pullman surcharge ruling filed by the Interstate Commerce Commission on Monday, which was erroneously referred to in your heading as "the Pullman fare."

In stating that "the Interstate Commerce Commissison has overruled the recommendation of its own examiner that the railways should not be permitted longer to collect the Pullman fare surcharge of 50 per cent," and that "this is a challenge of the opinion of Congress, which now has before it a bill declaring the surcharge 'unlawful,'" we submit that it is no more a challenge of the opinion of Congress, than it is a challenge of the opinion of the Interstate Commerce Commission's own expert examiner, or a challenge of the studied opinions of the Interstate Commerce Commission chairman assigned to this case who sat throughout these lengthy proceedings, or a challenge of the opinion of the four members of the commisison (Commissioners McChord, Campbell, Cox, and McManamy) who voted for the complete elimination of the surcharge, or a challenge of the opinion of two other members (Commissioners Aitchison and Esch), who concurred in the opinion that "the existing surcharge is more than enough to compensate the railroads for the added costs and exceeds the value of the service to the traveler, and should therefore be reduced one-half."

Furthermore, in your attack upon the opinion of Congress you do not realize or recognize the courtesy which Congress extended to the commission by withholding its further action upon the Senate bill unanimously passed at the last session, while awaiting the decision of the Interstate Commerce Commission, before whom these proceedings have been pending since November 24, 1924.

You state in your editorial that "the Interstate Commerce Commission thinks that if the railways are to reduce any fares it would be better that they should lower those of the great majority. The surcharge burdens only those who have the option not to take the service."

Judging from this statement, you evidently have not read the verbatim report. As a matter of fact, the opinions of 6, a majority of the 11 members of the commission, substantiate the unreasonableness of the surcharge, and this "opinion" is based upon an exhaustive study of facts and not predicated upon hysterical prejudice against the fundamental right of Congress to exercise its constitutional prerogative of reviewing the actions and decisions of governmental commissions to whom by act of Congress certain details of regulation have been delegated.

If in the opinion of Congress, based upon indisputable facts and figures presented during such proceedings, it appears that this or any other commission has not fully and faithfully performed its functions, then it certainly becomes the business of Congress in behalf of the citizenship which it represents to at least give its serious consideration to the fundamental issues involved. We can not believe, as you state, that "it will be the beginning of the end of regulation of roads by the rule of reason and the substitution of rates fixed by politicians."

Certainly Congress has been most patient in affording a prior opportunity to the commission, and manifestly Congress is entitled to a due and proper discussion of rulings issued by its self-created bodies, particularly so when six members of the commission favor a revision and the five members who opposed revision are not at all certain of their ground as to the real underlying equities of the case at issue, as quoted in their concluding admission, "whether or not the total

which is now paid by the passenger, including basic railroad fare, surcharge, and Pullman surcharge, is too great we can not now determine. The question must be left for consideration when the record governing the remainder of this investigation has been completed."

Another point in your editorial is "the railways need the money which they have been ordered to pay out in wage increases."

The history of the reinstatement of the 50 per cent war-time surcharge in 1920 upon petition of the carriers is as follows: Wage increases had been awarded that year by the Railway Labor Board amounting to approximately $575,000,000, and as an expedient method of aiding the railroads to meet these increases and to distribute the cost among its patrons a 20 per cent increase in the mileage rates was granted and the war-time Pullman surcharge reauthorized.

Since 1920, however, a careful record of wage decreases shows a total of approximately $600,000,000 yearly labor-cost deductions below peak of 1920.

In other words, the railways are collecting over a half billion dollars "velvet" each year in present high rates charged both to the day coach and Pullman passenger based upon increases which have been more than offset by subsequent decreases. If it was fair and just and equitable to increase the passenger rates in 1920 to take care of the increased operating costs at that time, it is certainly fair and just and equitable to have the rule work both ways, so that the public may now benefit by the savings in force.

Obviously, this half billion dollars yearly which you overlooked disposes of the conclusion you have advanced that "the railways need the money which they have been ordered to pay out in wage increases."

Right here it is pertinent to repeat Commissioner Campbell's reference to a statement (Appendix B of the official report) showing the surcharge collections by roads which earned in excess of 5 per cent of their book values, in which "it will be observed that over one-half of the $37,000,000 collected in 1923 went to roads falling within this class, and when it is considered that the book values are somewhat in excess of the values for rate-making purposes, it is apparent that a large part of the surcharge is going to the roads in excess of the return contemplated by the [transportation] act. In my [Commissioner Campbell's] judgment it is not reasonable or fair to the traveling public to permit a general charge of this character to stand when so much of it accrues to lines that do not need it."

You gave very little editorial consideration to the opinions rendered by the dissenting members of the commission, and in justice to the great traveling public, salesmen, buyers, theatrical profession, moving-picture interests, and all those who are compelled to use the interstate carriers, we would respectfully ask that you give space in your columns to the "other side of the story," not as we see it, but a few excerpts from the opinion filed by the chairman assigned to preside throughout these proceedings, Commissioner Campbell, and who was in a position to judge the probative force of the full evidence submitted by both sides:

"It is a mistaken notion that the Pullman surcharge is used only by the well to do. The poor man should have a place to sleep just as well as the rich man, but the higher the charges are made the greater will be the number that will be deprived of this essential service. Especially is the Pullman service a necessity to the business man who must travel, and the record indicates that if the charges are lowered a greater number of this class of travelers will use the Pullman service.

"In connection with the weight of the Pullman cars it was established that there is an increasing number of coaches that weigh practically as much as the steel and wooden cars and more than the Pullman cars, and that there is a greater difference in weight between the different classes of coaches as between the coaches and Pullman cars. Coach runs generally are materially higher than Pullman car runs, and the switches of coaches at terminals and division points may offset or even totally eclipse alleged switching of the Pullman cars.

"Consideration of these things and the fact that the railroads were relieved of many operating expenses in connection with the Pullman service left in my mind and in those associated with me in handling the case, grave doubt as to whether as a matter of fact the railroads' operating expense per car-mile was any higher for the Pullman cars than for the coaches. We accordingly decided to have an independent study made of the subject and referred the matter to a statistical analyst employed by the commission.

"These figures show a car-mile operating expense of 44.21 cents for coaches and (only) 41.06 cents for Pullman cars. An analysis of his final figures indicates * * * that the average expense to the railroads of handling Pullman cars is less than the average expense to them of handling the day coaches, by an amount considerably in excess of 3.75 cents per mile. The study pertained only to operating expense and does not reflect the saving—to the railroads—in investment which amounts to approximately $164,000,000; or, upon a 6 per cent annual interest basis, about 1.1 cents per car-mile.

"The above figures * * * do not take into consideration revenue derived from extra fares charged on all Pullman trains, amounting in 1923 to $4,726,503.82 upon the four systems reporting, or 3.4 cents per car-mile for the extra fare trains and 0.5 cent per Pullman car-mile for the United States. Neither do they take into account the contract payments made by the Pullman Co. to respondents—the railroads—which amounted in 1923 to $12,533,466.96, from which should be deducted $739,996.09, car-mileage payments by respondents to the Pullman Co., leaving a net payment by the Pullman Co. to respondents—the railroads—of 1.37 cents per Pullman car-mile. Taking into account the extra fares and the contract payments reduces the spread between coach and Pullman revenue, * * * whereas, as before indicated, the expense per car-mile to the railroads of handling the Pullman business is less than the expense per car-mile of handling the coach business by an amount exceeding the discrepancy in revenue.

"From this it will be seen that while the revenue derived by the railroads from the Pullman service during 1923 is but 3.05 cents per car-mile less than the revenue they derive from the coach business, the savings to them occasioned by the ownership and operation of the Pullman cars by the Pullman Co. is 5 cents per car-mile.

"Although there is no way of ascertaining just what the results would have been had the surcharge not been in effect, it is in my judgment reasonable to believe, especially considering that it has been a great irritant to the traveling public, that the surcharge has resulted in considerable loss of business to the Pullman Co., and therefore to the railroads.

"It will be observed that over half of the $37,000,000 collected in 1923 went to roads * * * which earned in excess of 5 per cent of their book values * *. * and when it is considered that the book values are generally somewhat in excess of the value for rate-making purposes it is apparent that a large part of the surcharge is going to roads that are earning in excess of the return contemplated by the [transportation] act. In my judgment it is not reasonable or fair to the traveling public to permit a general charge of this character to stand when so much of it accrues to lines that do not need it.

"In my judgment the railroads have not met the burden resting upon them justifying the continuing of the surcharge, and I favor its abolition."

With assurance of our high respect for your editorial sincerity even though we may not see all things "mind to mind," and thanking you for the opportunity of presenting the great traveling public's view upon this much-mooted question, we are

Very truly yours,

NATIONAL COUNCIL OF TRAVELING SALESMEN'S ASSOCIATION,
WM. G. ADAMS, *Executive Secretary.*

Mr. Chairman and gentlemen, when the railroads, in the face of all these enormous profits clearly shown, now attempt to use the farmers of this country to influence Congress not to abolish this iniquitous surcharge by saying that freight rates can not be reduced by the surcharge, I can only say "Beware of the sheiks when they bear gifts."

I do not believe the Members of this House can be deceived by false propaganda.

Mr. ASWELL. Mr. Chairman, I will state to the gentleman from Indiana that we will have but one more speech on this side.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from North Dakota [Mr. BURTNESS].

Mr. BURTNESS. Mr. Chairman and gentlemen of the committee, the fact that it was impossible for the agricultural commission appointed by the President to make recommendations to Congress and to the country which would solve all of the agricultural ills, it seems to me is no objection to giving fair and honest consideration to such recommendations as they have been able to make up to this time. That is what we are engaged in doing to-day rather than in trying to solve all agricultural problems. The passage of this bill will not settle the agricultural questions of importance and we will watch with interest what the commission may recommend in the future for its work is not yet completed.

Because of the fact, however, that the agricultural commission selected by President Coolidge is going to continue its work during the summer I feel justified in presenting at this time some suggestions which do not relate specifically to the bill immediately before us. I desire to commend to the consideration of the agricultural commission and to the consideration of the country the bill H. R. 12127 recently introduced by the gentleman from Iowa [Mr. HAUGEN]. This is the rewritten McNary-Haugen bill. I feel certain that a careful study of the proposed measure will convince you that it has been much improved since this Congress defeated it last June.

You will recall that perhaps the two strongest arguments made against the McNary-Haugen bill last spring were the two objections that it permitted a Federal agency established by Congress, the proposed export corporation, to raise and

lower the tariff upon commodities in which it might deal at will when deemed necessary, and that it was in substance and effect a price-fixing measure. These two objections have been eliminated in the present bill. The ratio price theory has been abandoned and no power to raise or lower tariff duties is delegated to any person or agency by the terms thereof. The right to declare a temporary embargo on importations is, however, retained.

Some of you may recall that in the speeches which I made on the floor last spring on behalf of the McNary-Haugen bill I strenuously contended that it in substance amounted only to establishing the machinery by which it would be possible to give to crops of which we have an exportable surplus the same benefit from the tariff as is enjoyed by crops or produce of which we have no such exportable surplus. I emphasized, for instance, that the actual difference between the market price which prevailed at the time and the so-called ratio price established by the bill was in each case practically the amount of the tariff. This was true of such commodities as wheat, beef, pork, and the like. It was upon that principle that I defended the bill early and late both with my colleagues here and with the general public.

Since the defeat of the bill last June this general subject has been given further consideration. Special emphasis can properly be given to the work of the American Council of Agriculture, which was organized at St. Paul, Minn., last summer for the express purpose of securing and maintaining equality for agriculture on a basis with labor and industry. Its president, Mr. George N. Peek, of Moline, Ill.; the chairman of its executive committee, Mr. Frank W. Murphy, of Wheaton, Minn., and many others of its officers, directors, and members have done splendid work on behalf of the farmers of the Nation ever since its organization. My understanding is that this organization in a way sponsors the bill recently introduced by the efficient chairman of the Committee on Agriculture [Mr. HAUGEN].

I am particularly pleased to note that in the very first section of the bill a declaration of policy is declared that, it seems to me, every citizen of our country should be willing to subscribe to. At least every person who believes in a protective tariff fairly representing the difference in the cost of production at home and abroad must be willing to accept the fairness of the declaration. Let me quote it to you:

> SECTION 1. It is hereby declared to be the policy of Congress to make more effective the operation of the tariff upon agricultural commodities, so that such commodities will be placed upon an equality under the tariff laws with other commodities, and to eliminate as far as possible the effect of world prices upon the prices of the entire domestic production of agricultural commodities, by providing for the disposition of the domestic surplus of such commodities.

No one will deny the assertion that industry and labor are protected in the United States. The tariff laws enacted since 1816, whether by one party or another, have given protection to capital and labor in a greater or less degree. During most of such time we have had tariff laws, as we now have, specifically intended to provide protection sufficient to cover the difference between the cost of production at home and abroad. Of almost as great importance, however, in the protection of the wages of the laborer and the profits of industry are such measures as the laws restricting immigration, the Adamson law, the transportation act or Esch-Cummins bill, the Federal reserve act, the Webb-Pomerene Act, which permits manufacturers to combine to engage in the exportation of their products free from the restraints of antitrust laws in the foreign field, and others. True, these laws do not "guarantee" profits, as claimed by some radicals, or anything of that sort, but most of them do tend to protect industry and labor against the competition of world influences and all of them tend to stabilize labor, industrial and general business conditions. We have always been proud of being able to maintain an American standard of living, and it has been possible not only because of superior natural resources but in large part by legislation of the nature referred to.

The question is fairly asked whether these same laws have not also stabilized agriculture. Honesty demands the answer that it has in part, but not wholly. Many forms of agriculture can be protected against foreign competition by means of the tariff alone. This is true of such crops as wool, flax, sugar, and the like, and will remain true until our production thereof is increased one or more times. Other forms of agriculture have, however, remained subject to world influences and our farmers have been and are forced to compete with the peasants of other lands. This is true in the case of every crop of which we have an exportable surplus as to which the American price is not fixed by American conditions, but in foreign markets by world conditions. The surplus must always be sold abroad in world competition at world prices. No American producer can complain as to this, whether he is a farmer or manufacturer. But the difficulties complained of by farmers and their friends who have given thought to the problem is that in the case of farm crops and produce the price of the surplus obtained in foreign markets is the price of the whole crop. In other words, the world price of exportable surplus crops fixes the American price not only on the surplus but also on the domestic consumption. The inevitable result is that such farmers must buy the products of stabilized industries produced and manufactured under sustained American standards of living and wages, yet sell many of their crops at world prices in direct competition with much cheaper labor and much lower costs of production. These differences are even more aggravated in the case of the farmer who must hire labor, for the wages in stabilized industries directly affect the wages of farm labor in spite of the fact that the farm labor may be employed only in producing crops, the price of which is set in the world's markets rather than in American markets. The general result in the Nation of a continuance of such conditions will necessarily be that men and women engaged in agriculture will be forced to accept a lower standard of living than producers of like ability, thrift, and energy in other industries.

Can this situation be changed in a way that is economically sound? The most reactionary capitalist, as well as the most radical labor leader, should admit the advisability and fairness of an economic condition wherein the person engaged in tilling the soil secures just as large a return for his labor as the toiler in the mine, factory, shop, or on the railroad, and just as large a return on his capital investment as the average man in a small, conservative, personally managed business requiring skill and intelligence of approximately like degree. Some of us think that the change can be made, and that without bringing the level of industry and labor down to the level of that portion of our agricultural classes directly competing with the European peasant or the Argentine Indian, but rather by bringing such agricultural workers up to a parity with industry and labor. The cure is simply that of bringing such farmers within the general protective system referred to. That can be accomplished, but the means of so doing, due to the exportable surplus, must be somewhat different from those employed for other lines of business.

One way in which it might possibly be done is by a thorough organization of such farmers. We note, for instance, that a well-organized business like the International Harvester Co. can sell surplus machinery abroad at lower prices either to meet competition or simply get rid of its surplus without reducing prices to the United States trade. This is good business. Let us assume that one individual, or one corporation, or one cooperative association, or other organization owned or controlled all of a crop such as wheat and was confronted with a situation that three-fourths of the crop could be sold within the United States, but that one-fourth of it, if sold at all, would have to be sold abroad and, furthermore, enjoyed a law as we now have to the effect that wheat or wheat products can not be imported into the United States without the payment of a duty equivalent to 42 cents per bushel, that being the estimate of the difference in the cost of production here and abroad. How would that individual or corporation or organization market that grain?

The answer is plain. The exportable surplus would be sold at world prices, but the three-fourths of the crop would not be sold for less than the world price plus the tariff duty. That would not be unfair to the domestic consumer who is engaged in some other protected industry, for the tariff is, or should be, no greater than the difference in foreign and domestic costs of production. But the crop is owned by 2,000,000 farmers scattered through 40 different States instead of by one farmer. They are not now and probably never can be organized in the sense that one selling agency can control the marketing of their crops, and this statement is not intended as any reflection upon the laudable purposes of the cooperative marketing movement among producers. Control of the markets by cooperation is probably practical for some forms of produce or crops. The task of perfecting such an organization is, however, probably insuperable in the case of any crop raised over large areas and by countless individuals.

The rewritten McNary-Haugen bill proposes a feasible plan to accomplish this very desirable result. The plan is the establishment of a governmental agency to be known as a farmers' export corporation, with a capital stock of $50,000,-

000, the business of which is to be conducted by a board of directors selected as set out in the bill. While a number of special powers are given the corporation along the lines of cooperating with and encouraging the formation of associations of producers of agricultural commodities in establishing foreign markets for such commodities, and so forth. The ultimate object of the corporation is set out in section 233 of the bill, which reads as follows:

SEC. 233. (a) The corporation shall keep advised by investigations, from time to time, made upon its own initiative or upon petition of any bona fide farm or cooperative commodity organization or any bona fide association of producers, of the domestic and world prices of basic agricultural commodities and the existence of an exportable surplus of any such commodity.

(b) Whenever the corporation finds (1) that there is or may be during the ensuing year a surplus above domestic requirements of any basic agricultural commodity; (2) that the domestic price of such commodity is materially lower than the world price plus the amount of the tariff duty thereon; and (3) that the existence of such surplus renders or will render inoperative in whole or in part the tariff upon such commodity, the corporation shall determine upon an operation period and prepare for its operations in respect of such agricultural commodity.

(c) The corporation, from time to time during such operation period, shall purchase, or contract for the purchase, at the prevailing market price, and hold, export, contract for the export of, or stimulate (by premium on exports or otherwise) the export of, such basic agricultural commodity, or any class or grade thereof, or any food product thereof the domestic price of which is affected by the world price and affects the domestic price of such agricultural commodity, in amounts necessary to make the tariff upon such agricultural commodity operative.

(d) The corporation may sell, or contract for the sale of, agricultural commodities (or any food product thereof) purchased by it—

(1) In the foreign or domestic market at such times as it deems advisable, and at the highest prices obtainable.

(2) In the domestic market at such times as the corporation deems advisable, and at the highest prices obtainable, for export or for processing for export, under such regulations as the corporation may prescribe (including, in the discretion of the corporation, the giving of a bond, in a penal sum of not more than one and one-half times the value of the commodity, conditioned upon the compliance with such regulations and the terms of such sale).

In brief, the plan proposed is an export corporation to segregate the exportable surplus of any basic agricultural commodity and sell it abroad at world prices with a view of obtaining an American price for that portion consumed within the United States. The American price suggested by the rewritten bill is the world price plus the amount of the tariff.

It is to be remembered that the present tariff policy of our country is to provide duties only sufficiently high to cover the difference in the cost of production at home and in the principal competing countries, so no American consumer who is himself engaged in some industry thus protected can complain about paying that sort of a price for the products of the American farmer. Under the so-called flexible provisions of the McCumber-Fordney tariff bill the President can raise tariffs only in the event that he finds the present rate less than sufficient to cover such difference in the cost of production. To illustrate, something more than a year ago application was made to the President and to the Tariff Commission to increase the duty on wheat from 30 to 45 cents per bushel. Neither the President nor the Tariff Commission had any authority under the law to raise such duty without first ascertaining by a thorough and careful investigation what the difference in the cost of production here and abroad actually is. Such investigation was conducted and the finding was made that over a three-year period the average difference in the cost of producing wheat in the United States and in the wheat-producing Provinces of Canada was 42 cents per bushel. The duty was raised accordingly.

By the adoption of tariff schedules in the case of any commodity the legislative finding is solemnly made that the commodity can not be produced in the United States as cheaply as abroad. The tariff is operative—that is, reflected in the price—in the case of commodities of which we have no exportable surplus, unless local competition is so great as to eliminate all or part of the tariff, in which event it is probable that the duty is too high, tested by the standard of the difference in the case of production here and in competing countries. Is it anything but simple justice to make that tariff similarly reflected in the price of commodities of which we have an exportable surplus, if it can be done? If it is fair to increase the price of flax, wool, textiles, cutlery, and lemons by means of the tariff, why not also wheat, hogs, cattle, or cotton? Such action is in the interest of maintaining a general economic parity for all our people.

Some say a surplus for export should not be raised. This is comparatively new propaganda. While I believe thoroughly in reducing acreage of such crops as wheat, yet I can not get into the frame of mind that it is almost a crime to raise some for the consumption of other people than Americans, so long as it is needed for human consumption. We have heretofore been encouraged to raise large crops; our Department of Agriculture and our agricultural colleges have tried to teach us "to grow two blades of grass where one grew before"; we have been proud of our exports; we have been taught that nations, like individuals, to prosper should sell more than they buy.

It is not easy to adjust farming conditions over large areas sufficiently to bring production down to consumption needs in a crop like wheat, of which we have always had a large surplus for the foreign markets. In any event, it must be remembered that if domestic production were reduced so as to barely satisfy domestic consumption, the tariff would be reflected in the price. American consumers would, under the operation of some such law as the McNary-Haugen bill, pay no more than they would without such a law in the event of no surplus above domestic needs. So in either case it would seem that the consumer would have no just cause for complaint so long as he is one of those for whom the United States is artificially maintaining higher standards than those existing in his trade, business, or calling in other countries.

If I am correct in my view, the enactment of the rewritten McNary-Haugen bill will simply be the adoption of a principle on behalf of agriculture which now extends to other industries. If that is so, the country as a whole should be willing to approve it. It may be true that the United States has ceased to be primarily an agricultural Nation and is fast becoming an industrial one. However, will anyone argue that it is not for the best interests of the Nation for agriculture and industry to advance side by side, each claiming the time and talents of about half of our population? Does anyone contend that industry should advance to such an extent as to entirely eclipse agriculture? Will not industry now and in the future be willing to subscribe to a policy that our foodstuffs should be raised in our own country rather than to procure such foodstuffs from whatever place it can get them the cheapest? Unless industry and labor are willing to subscribe to such a policy, is there not a real danger that agriculture in the United States will descend to the level of peasantry as found in many European countries?

Hearings have been held upon this bill by the Agricultural Committee of the House, and I am reliably informed that it will be favorably reported to the House within the next few days. At least I hope that this will be the case. Personally I should prefer to see it enacted into law at this session of Congress, but I assume such action is well-nigh impossible. I trust, however, that it will be one of the first issues considered in the next session, and the earlier such session comes the better, for no one knows when an agricultural depression may be upon us. Should 1925 produce a large wheat crop throughout the world, we would see a fall in the price of wheat as staggering as the decline in 1920 and 1921.

If we are to remain a well-rounded, many-sided Nation, fully developed as to all resources to such an extent that we can remain independent of the outside world, each class must be willing to give to all others the same opportunities which it seeks for itself. If American standards are to be permanently maintained above the level of European standards, or Asiatic standards, or world standards in any particular they must be available to all Americans and not only to some selected classes thereof. For these reasons I believe Congress should enact the bill to which I have referred.

Referring now to the measure immediately before us. What does it do? It simply establishes a Federal cooperative marketing board eventually to be selected from persons engaged in various forms of farming, the duty of which it will be to foster and encourage the cooperative movement in so far as it pertains to agricultural products. It provides that any cooperative marketing association may become registered with such Federal board and may thereupon use as a part of its title the word "Federal," or the term in its advertising "member of Federal cooperative marketing system." It provides that clearing-house associations and terminal marketing associations, which are also strictly cooperative in their nature, may likewise apply for registration and become licensed to perform their functions. A cooperative association is not in any way compelled to avail itself of the privileges of the act.

It is hoped that much general assistance can be given to the cooperative movement by the board.

The inspection service provided by the bill through the Department of Agriculture, which will be available not only to registered associations and members thereof but to the general public, is not an unimportant matter. The necessity for such inspection service has become more and more pronounced in the Northwest, at least, as we have commenced to diversify our crops more and more. It will prove of value and importance to us in marketing potatoes, onions, sugar beets, and other produce. It will be of great importance to the fruit-growing sections of the country.

The manner in which the bill liberalizes the so-called Capper-Volstead Act has been explained on the floor. These changes are all of importance. I recognize the tremendous possibilities of the cooperative movement in general, but it is plain that there are many attending difficulties. It is not a cure-all. Many associations will be utter failures; others will be successful. In these organizations, as in other lines of business, success or failure will depend largely upon the ability and the integrity of the men placed in charge.

Let me also emphasize that the difficulty of effective cooperation increases with the number of producers of any one commodity as well as the greater territory in which they may be found. In other words, to organize effectively the prune growers or the raisin growers of California is one thing, and to organize effectively the wheat growers of the Nation, scattered as they are in 40 different States, is quite another thing. What I have suggested with reference to those producing wheat is likewise true with reference to those producing dairy products or pork and beef. Naturally much can be done toward eliminating waste, establishing proper standards, getting the crops or produce to the proper markets, and things of that sort, but can ever organizations of commodities raised in almost every State become sufficiently compact so as to have a material effect upon the price received by the producer? I am not attempting to answer these questions, but ask them so that all may be reminded of the many practical difficulties, and to emphasize in that way if I can what I have already suggested, that simply providing some governmental encouragement for the establishment of cooperative marketing associations will not of itself insure a fair price to the producer for his product.

It seems to me, however, that the suggestions made in the bill are most constructive. The objection has been made by some that they go too far, that in the establishment of this Federal agency—and strictly speaking it is scarcely a Federal agency at all, but rather an agency of the cooperatives themselves—some say that in this bill we are giving the proposed Federal cooperative marketing board too much power and that we ought not to give it the power of regulation or the power of licensing and we ought not to give it the power of auditing the books of the cooperative organizations. Why, friends, it seems to me that unless you give the cooperative marketing board those powers you might just as well not pass Title I of the bill at all, for without those powers the cooperatives would remain in the same position as they are to-day.

Now, what is the main difficulty in a great many places in getting cooperatives established? It is this: A great many men, interested more in the kind of a job they can provide for themselves than in the welfare of the farmers, get busy to establish some cooperative and promptly vote great big salaries for themselves. That seems to be the most important thing they have to do, and they do not acquire the confidence of the producers. But even if that is not the case, even where they organize honestly, where they proceed to do business as well as they can, what is likely to happen? Oh, so many things can happen. Sometimes some member becomes disgruntled or disappointed and the trouble commences. In other cases some outside force enters in and creates suspicion against the cooperative organization. Then what happens? It is not long before the members leave the organization and it is no longer effective. It seems to me the strongest reason why there ought to be some sort of Federal license granted, is to create a feeling of confidence in their purposes and their methods of transacting business—some commendation, so to speak, of their work. If you are going to do that, if you are going to put a Federal stamp of approval upon them, there is not anyone who will say that the Federal Government is not likewise under the solemn obligation to see to it that such cooperatives are conducted fairly and honestly.

I do not believe there is anything you can do which will give the people of the country and the farmers of the Nation greater confidence in joining cooperative associations of various kinds than to have the word go out that there is a Federal agency or an organization consisting of men whom they themselves select, that will at stated intervals audit their books or that can be called upon to find out whether they are solvent, to find out whether they are doing the square thing by their members, whether they are properly protecting the pool and things of that sort. Such a power as this will probably tend to destroy cooperatives existing chiefly to provide jobs for a chosen few but should greatly encourage, foster, and strengthen cooperatives of the right kind. [Applause.]

The CHAIRMAN. The time of the gentleman from North Dakota has expired.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from Ohio [Mr. BRAND].

Mr. BRAND of Ohio. Mr. Chairman and gentlemen of the committee, I have been in the cooperative marketing work for 10 years and I know its limitations under present conditions. I am for this bill, and it may be helpful.

Ten years ago I was selling milk in the city of Columbus for 5 cents a quart and the milk was being retailed at 8 cents a quart. About that time the dairymen within a radius of 50 miles of Columbus were organized, and since that time their organizations have continued. To-day the dairymen are receiving but 5 cents a quart for their milk and the milk is selling for 13 cents a quart. Ten years ago the spread for the dealers was 3 cents a quart; to-day the spread is 8 cents a quart. The dairymen are getting about the same for the milk that they did 10 years ago; the dealers are receiving for bottling and selling the milk nearly three times as much as they did 10 years ago. In other words, the dairyman is receiving very much less per cent of the consumer's dollar in the milk business to-day than he was 10 years ago, although the organization of the dairymen is more perfect to-day than it ever has been, but it is not perfect enough to secure for the dairyman his fair share of the consumer's dollar.

The question is, What is the matter? It can readily be seen that something is wrong by the result. The situation is this: Milk dealers are well organized throughout the United States. When you deal with one of them you are practically dealing with all of them. They are not all organized together under the law, but they work together outside of the law.

As I said before, the dairymen were organized within 50 miles of Columbus. That organization is not able to demand and secure a price for the milk that is a just per cent of the consumer's dollar because the dealers are able to go outside of the territory covered by the organization and buy their milk. There is almost no limit to the distance the dealers can go for milk. If necessary, they can go from Ohio to Illinois, because the milk is Pasteurized and can easily be shipped in refrigerator cars into Ohio, bottled, and turned out as fresh milk.

Thus you see that it is necessary not only for farmers to cooperate within a State but within more than one State; in fact, if the buyers of milk work together throughout the Nation, then the producers of milk must do likewise throughout the Nation.

Now we come to a very important matter. The objection to this bill on this floor has been that there has been provided a registration for every cooperative-marketing organization and that that organization will be under the supervision of a Government body and that their books and their proceedings and their records and their profits and their losses be open to inspection when they are so registered. It is very apparent that many Members on this floor do not realize the necessity for this. By this cooperative measure and by having the Capper-Volstead Act we have removed the cooperative organization from the effect of the Sherman antitrust law, and now we are paving a way for the organization of producers probably with the intention of having all of a product under control, and this provision in the bill of regulation is absolutely an essential provision if we desire to protect the consumers.

You can realize under this law that while it may be impossible to get absolute control of wheat products, of milk products, or hog production or corn production, yet in many of the smaller items of production, such as raisins, prunes, apples, onions, tomatoes, cabbage, and sugar beets, it would be absolutely possible to secure an absolute control; and if there is no regulation, the organizations might be unfair with the public.

When the Capper-Volstead law was enacted the farm organizations were relieved from the effects of the Sherman antitrust law; but such organizations were placed under the control of the Agricultural Department.

I had the burden in Ohio of writing the first cooperative marketing law in the State, which was passed before the Capper-Volstead law was passed by Congress, and in that

law we had this very situation confront us; that is, while we wanted the farm organizations to be free from the antitrust law, so that the farmer could sell collectively, yet we did not want any opportunity offered for the cooperative to take advantage of the consumers, and in the Ohio law we placed these cooperatives under the control and supervision of the public utilities commission of the State.

There are cooperatives who want a law passed that will have no control feature in it. But, to my mind, such a law is unhealthy, and in the end against the producers of farm products in this country, because eventually, under such a law, there would be the cooperative marketing associations that would be taking advantage of the consumers, and this would bring about opposition to cooperation and opposition to the laws that have been passed favoring the farmers, and in the end would be detrimental to this effort among producers to secure a fair share, and a fair share only, of the consumer's dollar.

I believe this measure before us will be beneficial in extending cooperation, and I believe it is absolutely wise and essential to have regulation, and I do not agree with the gentlemen who object to the registration features.

The CHAIRMAN. The time of the gentleman from Ohio has expired.

Mr. KNUTSON. Mr. Chairman, I do not know that this measure will work out as its authors predict, but being cognizant of the position of agriculture, I shall vote for this measure, with the hope that its enactment will do something toward relieving the situation. Like the gentleman from Wisconsin [Mr. VOIGT], I feel that this legislation should be modified. Its purpose is to stimulate cooperative marketing among the farmers. There is no doubt that one of the solutions for the present agricultural depression lies in cooperative marketing, but such cooperation should be voluntary and not compulsory, as is contemplated in this measure. Judging from my colleague's remarks he will offer suitable amendments along that line and I trust they will be adopted.

Mr. Chairman, in my opening remarks I stated that one of the solutions for the present agricultural depression lies in cooperative marketing. Another solution will be found in a further substantial increase in the tariff on farm products. The gentleman from Texas [Mr. HUDSPETH] showed conclusively several days ago the need for a duty on hides. Those of you who heard him address the House last week will recall how he stated that the failure of Congress to provide a suitable duty on hides had worked a great financial loss on the stock raisers of the country and had brought them to the brink of ruin. Mr. HUDSPETH is a large cattle raiser and he knows whereof he speaks. If we had more practical men of his caliber in Congress, it would be better for all concerned.

Mr. Chairman, what the gentleman from Texas said with regard to hides is equally true with reference to dairy and poultry products. A study into the situation of the dairymen of the country will bring one to the realization that they are in a bad way. Not only must they pay high wages for help and stiff prices for feedstuffs but they are forced to meet competition from countries having cheap help and a depreciated currency. A study of our foreign trade in dairy products during the past 35 years is quite interesting. In 1890 we exported in round figures 30,000,000 pounds of butter. Ten years later these figures had shrunk one-third, with a further gradual decline until 1920 when we commenced to import butter, and during the year 1924 we imported about 20,000,000 pounds, a difference of 50,000,000 pounds since 1890.

Mr. Chairman, if the dairy cow is to survive we must have a further increase in the duty on foreign-made butter. The present rate is not sufficient, and the same holds true with eggs. Let me say parenthetically that we imported last year nearly $6,000,000 worth of eggs in one form or another. Early in the life of this Congress I introduced a bill to increase the duty on butter from the present rate of 8 cents per pound to 20 cents per pound and the duty on eggs from 8 cents per dozen to 15 cents. I have not been able to get consideration for this bill from the Committee on Ways and Means, but the chairman of the committee has assured me that the revision of the tariff will receive consideration early in the Sixty-ninth Congress.

Mr. Chairman, parlor economists may tell us that there is no justification for a protective tariff, but they can not make the American farmer, laborer, and manufacturer believe that. They know that the greatest development, prosperity, and happiness have always been had under a protective tariff, and their shouts of robber tariff and other forms of smoke screens fall on deaf ears. Give the American farmer adequate protection so that he will not be compelled to meet the deadly competition of cheap labor paid with worthless currency, and he will rise and call us blessed. Then and only then will such legislation as we are called upon to-day to consider be really of help to our farmers.

Mr. PURNELL. Mr. Chairman, I yield five minutes to the gentleman from Minnesota [Mr. KVALE].

Mr. KVALE. Mr. Chairman, I say about the same as my colleague from Minnesota [Mr. KNUTSON], who has just taken his seat. I expect to vote for this bill because the committee refuses to give me something better to vote for, and in the hope that it will accomplish something for the farmers of the Northwest. I have been hoping and hoping during these two sessions of Congress that I might be able to vote for some real measure of relief for the farmers. The great advertising we had about the President's commission and the report of the conferences and meetings that have been held and all that we have read in the newspapers led me to believe that we would have some real measure of relief. I would say that the conditions obtaining in the Northwest as to agriculture are practically the same as they have been for several years. The prices we are now getting for grain do not help the farmer very much, because nearly all the farmers had to sell their grain before the price was raised.

Mr. KNUTSON. Will the gentleman yield?

Mr. KVALE. Yes; I yield.

Mr. KNUTSON. Is it not a fact that the farmers sold their grain under the advice of the Farm-Labor candidates?

Mr. KVALE. Oh, no; the gentleman is incorrect about that. They sold the grain because they were forced to do so, irrespective of what the Farm-Labor or the Republican candidates had to say about it—forced to sell in order to meet interest payments and pay their store bills.

When I read this bill, and I have read it, I am reminded of the saying by the the sage of old, "The mountain was in travail and brought forth a mouse." I am going to vote to prolong the life of that mouse in the hope that it may accomplish something good. Perhaps in time it might gnaw to pieces the rope that keeps the lion bound. [Laughter and applause.]

Mr. CHINDBLOM. Has the gentleman himself any measure to propose that will give real relief?

Mr. KVALE. The gentleman knows there are measures before this House that would accomplish something in the matter of relief.

Mr. CHINDBLOM. Name them.

Mr. KVALE. I do not need to bring in any measure. There are bills now in great numbers before the Agricultural Committee that would accomplish it in my estimation and relieve the farmer, and yet the Agricultural Committee refuses to report out those bills.

Mr. CHINDBLOM. Let us have the gentleman's own ideas as to what will bring relief.

Mr. KVALE. I do not claim to be an expert, but if the gentleman would give me time I could tell him. There is, for instance, the Norris-Sinclair bill, and other bills that would accomplish something really worth while. Give us a reduction of the tariff, give us some of the other relief measures which ought to be brought out here and that would do something for the farmer. Reduce the freight rates on agricultural products, and let us have lower interest rates. There is nothing in this except words, words, words, and yet I am going to vote for those words.

Mr. KNUTSON. Will the gentleman yield?

Mr. KVALE. While I vote for the bill I feel that in the words of the cartoonist it does not mean anything.

Mr. KNUTSON. The gentleman speaks of reducing the tariff as one of the things that would give relief?

Mr. KVALE. On the manufactured products of the East.

Mr. KNUTSON. Will the gentleman vote for reducing the tariff on butter?

Mr. KVALE. Oh, I have gone before the Tariff Commission and with others asked for an increase of the tariff on butter, but so far without results. I speak of reducing the tariff on manufactured products whereby they are robbing the farmers of the Northwest, and the gentleman knows it. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. ASWELL. Mr. Chairman, I ask how much time have I remaining?

The CHAIRMAN. Twenty minutes.

Mr. ASWELL. How much on the other side?

The CHAIRMAN. Twenty-nine minutes.

Mr. PURNELL. I think we will have only one more speech.

Mr. ASWELL. I yield 20 minutes to the gentleman from Kentucky [Mr. KINCHELOE].

Mr. BLANTON. Mr. Chairman, I think we ought to have a quorum here to hear him, and I make the point of order there is no quorum present.

The CHAIRMAN. The Chair will count. [After counting.] One hundred and three Members are present, a quorum.

Mr. KINCHELOE. Mr. Chairman and gentlemen of the committee [applause], to me it was rather amusing this morning when the political end of this discussion was touched by the gentleman from Kansas, who admits that he is the political watchdog of the White House on the floor of this House, when he seemed to be very much disturbed because there has been some politics interjected into this debate. Why, this Agricultural Commission of the President of the United States was born and conceived in politics. [Applause.] In his speech in response to his notification of nomination he notified the agricultural interests of the country that he proposed to appoint an agricultural commission to make an accurate and scientific study of the agricultural problems of this country. I am sure that when the President made that in his speech of notification he had no politics in it, of course. There was no political atmosphere surrounding it. Of course there was nobody fooled in it. Everybody knows he did it for the purpose of catering to the agricultural vote of this country. The party on this side of the aisle was not responsible for the birth of that commission. And then he said he was not going to appoint them until after election, which he did not do.

After he was elected he carried out the political promise he made, and made for the purpose of getting votes by the appointment of this commission. We are not responsible for the appointment of the commission. They were appointed and came here, and after a brief session and little deliberation made a report, which the President indorses in toto. They drafted this bill in a hurry and brought it in with the intention of putting it upon its passage yesterday. Notwithstanding the minority of the committee asked permission of the Agricultural Committee, which was granted, none of us, even the majority, saw report until now. That is the reason there is no minority report on this bill. There is not a man on the floor of this House who is more in favor of cooperative markets than I. I believe that is the final salvation of the farmers of this country if conducted in the proper way. But what is in this bill? They create a commission here of five men, at a salary of $10,000, to be appointed by the President of the United States. The original men upon this commission will not be appointed upon the recommendation of the cooperative marketing associations of this country. The time of two expires in one year, two of them in four years, and one of them in six years. In other words, this partisan commission that the President can appoint will have a majority for four years. Now, what do they propose to do? The chairman of this committee [Mr. HAUGEN] this morning talked of the thousands of telegrams pouring into this Capitol protesting against this bill. Is that not a striking thing? I challenge the oldest Members of this House if you ever before saw a bill come in before this Congress that had for its purpose the assisting of certain organizations which all of them are against?

I challenge a member of this committee now to show me anybody that represents a cooperative association that indorses this bill except Mr. Merritt, a member of the commission, and Mr. Bradfute, both members of the President's commission. On the other hand, every great, growing, progressive, prosperous cooperative marketing association in America is against this bill and has said so in their resolutions. I shall insert them later. The National Council of Farmers' Cooperative Marketing Associations, representing 620,000 farmers and representing practically every agricultural product that is raised in this country, is against this bill. They represent 30 of the big cooperative associations. That organization met here on the 8th day of January, 1925, and drafted a resolution I want to read you one section of. They say:

> We believe that cooperative marketing associations should be organized by the farmers and owned and controlled by them; and in proof of their ability to intelligently and successfully manage their own business, when properly organized along lines of sound commodity cooperation, we call attention to the fact that there has been a smaller percentage of failures among cooperative organizations brought into existence in recent years than has been shown in any other business activity in the life of our country. * * * We hold ourselves always open to governmental inspection of methods and operation. We have nothing now to ask from the Government except a sympathetic, understanding administration of the laws and the regulations which are already in force for the assistance and supervision of cooperative marketing associations.

Mr. CARTER. Mr. Chairman, will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. CARTER. Who is that from?

Mr. KINCHELOE. That is from the National Council of the Farmers' Cooperative Marketing Association, in their resolutions passed on the 8th day of January here in Washington?

Mr. CARTER. This year?

Mr. KINCHELOE. Yes; this year.

Next comes Mr. Holman, who testified before our committee. He is the secretary of the National Board of Farmers' Organizations. He mentions 25 of them. One of them is the National Cooperative Milk Producers' Association, doing a business of $400,000,000 last year. That is only one cooperative organization out of 25 of his organization that is against this bill. They are all against it; every man who came before us except the two that I have mentioned, who are members of the commission, are against this bill. Here is Mr. A. Sykes, of Ida Grove, Iowa, vice president National Livestock Producers' Association. Here is what he says:

> I represent a number of marketing agencies and farm organizations. I am vice president of the National Livestock Producers' Association and their legislative representative. I am president of the Chicago Producers' Commission Association, which is a cooperative marketing organization. I am also president of the Corn Belt Meat Producers' Association, which is a farmers' livestock organization of the Middle West. These organizations represent, roughly speaking, I should say, 300,000 livestock farmers in the Middle West or the Mississippi Valley. Our membership is located in Iowa, Illinois, Indiana, Missouri, and States adjoining.

Then further on he says:

> We would have to protest against Government supervision anything more than is extended to us at the present time through the packers and stockyards administration. We believe that we are properly supervised by a department which is closer in touch with the livestock industry than a board of this kind would be.

Mr. John D. Brown, of Monon, Ind., representing the Indiana Farm Bureau, said:

> I want to say to begin with that the Indiana Farm Bureau is promoting a wheat marketing association which is connected with Mr. Sapiro's organization, or the ones he is representing, and it is opposed to any legislation during this session pertaining to cooperative marketing. That is the viewpoint of the Indiana Farm Bureau, and anything that I may say along that line other than that will be expressing my individual views from the experience I have had in a general way.

Now, in the face of these thousands of farmers and these hundreds of cooperative marketing associations protesting, with nobody on the other side coming before the Committee on Agriculture except these two Members on behalf of this bill, do you think there is any sentiment in this country in behalf of this bill? Now, let's look at this bill briefly and see what it contains.

On page 6, subsection (b), section 21, here is an innocent-looking thing about this bill. Subsection (b) provides:

> To provide for (but not require) the registration of associations (hereafter referred to as "registered associations") as members of the Federal cooperative market system and to provide for the suspension and revocation of their registration in accordance with the provisions of sections 22, 23, and 24.

There is nothing compulsory in the cooperative marketing associations registered, but after they register what will happen to them under the powers of this board? What has the board got to give in the way of governmental assistance to induce any cooperative marketing association to come into this system? After they come in, after they once stick their heads in this Federal halter which is provided in this bill, then what will they have to submit to? Here is what it provides in the next section, after they come in and register:

> To provide for the examination of any registered association and to audit upon the request of such association its accounts, such audit to be taken with or without cost, in the discretion of the board; to acquire from each registered association, not oftener than twice in any fiscal year, a sworn statement in respect to the financial condition of such association.

After they get in, this provides and gives the board plenary power to go and "piroute" around into the records and examine into every cooperative marketing association registered under this bill. This examination can be made by this board over the protest of every member of the corporation. So, they have the right to examine whether the association wants them to or not. But how can they make an examination except some Federal officer is sent out from the Capital of the Nation who will walk into one of these cooperative marketing association establishments and say, "I have come to examine you."

Why, gentlemen, you would think from what you hear here that cooperative associations needed a guardian to manage their business. They are, in fact, some of the smartest men in the United States. The Burley Tobacco Association, for example, is one of those that are mentioned here. It has 170,000 members. You should remember that there are 53 grades of Burley tobacco, and there are 10 or 12 grades of cotton. You take one of these associations with 53 grades of tobacco and 10 grades of cotton to deal with and you will find that they have the best bookkeepers in the world keeping the books of these associations. Would it not be encouraging to these associations to have some little expert from Washington to be sent down to them and say, "I have come down to examine the association"? If they protest he would say, "We will fine you $100 a day." Would he not be a fine fellow to pry into the business of the Burley Tobacco Association, with 53 grades of tobacco, and cotton associations with 10 grades of cotton, and tell them how to manage their business?

Gentlemen, you can see the folly of such a thing, and yet it can and will happen, if this bill is enacted into law and these cooperatives register—why enlarge Federal control again and create this jealousy between the cooperatives that stay out and those that go in—are not they all entitled to the same treatment?

Mr. ROBSION of Kentucky. What is the attitude of the Burley Tobacco Association toward this bill?

Mr. KINCHELOE. They are against it. [Applause.] The Cotton Association is against it, the Milk Producers' Association is against it, and the wheat growers are against it. [Applause.] As I say, there is nobody for this bill who represents the cooperative associations except the two members appointed on the President's commission.

Now, they come in and examine and, under subsection (c), they have that right. The bill provides a method of arbitration and a method for the settlement of disputes. After they have once registered and get in, if there is any dispute between two cooperative associations or any of the members thereof, which have registered under the provisions of this bill, they then have to submit their differences to this board for settlement. This board is given the right under the provisions of the bill to make its award, and even though such an award should not suit the representatives or members of the associations in dispute, the provisions of this bill require that such associations and its members must abide by the award. We tried to amend this bill by giving them recourse to the courts. But whenever they stick their heads, as I say, into this Federal halter by registering and any dispute should arise, then they must abide by the award of the board, and they have no appeal in the world, even to the courts of the land. That is what they propose to do here. This is a fine incentive to cooperative marketing.

Mr. HUDSPETH. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. HUDSPETH. Who are these two little fellows that appeared for the cooperatives and indorsed this bill? Whom do they represent?

Mr. KINCHELOE. The gentleman means those who are for this bill?

Mr. HUDSPETH. Yes.

Mr. KINCHELOE. They were Mr. Merritt and Mr. Bradfute.

Mr. HUDSPETH. Whom do they represent?

Mr. KINCHELOE. Mr. Merritt represents the Grape Growers' Association out in California, that is sending them up into New York. You know there is a great demand for them there since the Volstead Act. He is one of them. And Mr. Bradfute is one of the head men of the Wheat Growers' Association. I am not trying to cast any aspersions on the personnel of this commission, because I do not know anything about it.

Mr. BARBOUR. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BARBOUR. I will say to the gentleman that Mr. Merritt is one of the best informed men in the country on the subject of cooperative marketing associations.

Mr. KINCHELOE. I have no doubt about that, and no doubt under the Volstead Act he is getting more money out of his grapes than anybody is getting out of any other commodity in the United States.

Mr. BARBOUR. I will say to the gentleman that Mr. Merritt is not handling that brand of grapes.

Mr. KINCHELOE. Now, then, there is another privilege after you register. After they register they have got to agree to submit to all of this, and they have got to agree to let them examine them whenever they want to, and they have got to agree that they will abide by the decisions. But here is the splendid thing they are going to get in return for coming under this Federal control. Section 25 provides that each registered association may use the word "Federal," and to put on their stationery the words, "Member of Federal Cooperative Marketing Association." That is going to help its members market their crops and get a splendid price for them. It seems to me that to many Members of this House the word "Federal" is more fascinating, more enticing, more seductive, more charming, and more alluring than the smile of a fairy.

Now, those who do come and register will find that rivalry and friction will be immediately set up between them. There will be rivalry and friction between those who come in and those who stay out, those who do not want the arm of the Federal Government extended to them. You are not only going to create friction at once but you are going to have this Federal board hamstringing those who stay out at every opportunity and penalizing them in every way in order to force them to come in under the Federal control of this act. Is that the thing to do?

The cooperative marketing association, gentlemen—and I think I know something about it—is a voluntary association. It is organized for the common good, you know, and to pool enough of the products to control the market. It is a voluntary affair. Then every man who goes in has an equal vote in the selection of his directors, and those directors elect the officers. It is on a scientific business basis.

Now, gentlemen, do you know that only 15 per cent of the cooperative associations of this country fail and that 85 per cent of all other businesses fail? Yet they say these cooperative associations need a guardian to protect them and that you need all of these Federal inspectors over the country to tell them how to conduct their business.

Mr. PURNELL. Will the gentleman yield?

Mr. KINCHELOE. For a brief question; yes.

Mr. PURNELL. How will the board penalize a cooperative organization which does not come in?

Mr. KINCHELOE. Every time they can get a chance they will put the gaff to them to make them come in in order that they may have more power. That is the most natural thing for the Federal board to do.

Mr. PURNELL. What authority have they to put the gaff to them?

Mr. KINCHELOE. I want a cooperative bill, but I believe that under the terms of this bill——

Mr. PURNELL. What authority have they under this bill to put the gaff to anybody who will not come in?

Mr. KINCHELOE. I would like to yield to the gentleman, but I have not the time. I believe this bill will destroy the harmony and good will existing among the cooperatives of this country.

Mr. Tenny, the assistant chief of the Bureau of Agricultural Economics of the Department of Agriculture, appeared before the committee. I want to draw your attention to one question I asked him. He made a wonderful statement before the Committee on Agriculture as to what the Bureau of Economics in the Department of Agriculture was doing for the development of cooperative associations in this country. It was a revelation to me what they have been able to do with the small appriation they have. I said, in substance, "Mr. Tenny, can not the Bureau of Agricultural Economics of the Department of Agriculture, which is already organized, perform the same services for the cooperative associations of this country as this board?" And he said, "Yes; if we had more money we could do it; but if it was necessary to go out and solicit people to join, we could not do that."

This goes to show what is to be the purpose of the Agricultural Department with Mr. Jardine, who is going to be the Secretary of Agriculture. It will be their purpose to have men out soliciting organizations to join, and, of course, they will knock the independent associations that do not come in whenever they have a chance to do it.

What I want to see done is to do away with the registering provision of this bill and to take the powers away from this board that are given them here and put it in the Agricultural Department; but if you are bound to have this board, let us have a board that will go out without any power or control over any cooperatives, and say to these cooperative associations, "We come here to help you; we want to advise with you; we want to encourage you and give you any information and help we can." But you propose by this bill to raise a barrier between those who come in and register and those who decline to come in because they do not want any governmental regulation.

Mr. BRIGGS. Will the gentleman yield?

Mr. KINCHELOE. Yes.

Mr. BRIGGS. Would not the inevitable effect of that situation, although this is voluntary, be to compel the others who do not want to come in to enter the same system?

Mr. KINCHELOE. Absolutely. They will penalize them in every way they can in order to have them join.

Mr. BRIGGS. Is it not also true that all the cooperative associations have requested is that they be let alone?

Mr. KINCHELOE. Yes; and I hope when we get under the five-minute rule we will knock the teeth out of this bill, so far as Federal control is concerned, and pass no legislation pertaining to cooperatives except legislation that will aid, encourage, give advice and information, with no Federal coercion of any kind whatever.

The following farm organizations have appeared before the Agricultural Committee through their representatives and protested against the passage of this bill:

The National Council of Farmers' Cooperative Marketing Associations, which is composed of the following members:

Arkansas Cotton Growers Cooperative Association, Little Rock, Ark.
Arkansas Rice Growers Cooperative Association, Stuttgart, Ark.
Atlantic Coast Poultry Producers Association, New York, N. Y.
Broomcorn Growers Cooperative Association, Oklahoma City, Okla.
Burley Tobacco Growers Cooperative Association, Lexington, Ky.
California Prune and Apricot Growers Association, San Jose, Calif.
California Peach and Fig Growers Association, Fresno, Calif.
Connecticut Valley Tobacco Association, Hartford, Conn.
Dark Tobacco Growers Cooperative Association, Hopkinsville, Ky.
Egyptian Seed Growers Exchange, Flora, Ill.
Georgia Cotton Growers Cooperative Association, Atlanta, Ga.
Georgia Peanut Growers Cooperative Association, Albany, Ga.
Illinois Fruit Exchange, Centralia, Ill.
Indiana Wheat Growers Association, Indianapolis, Ind.
Maine Potato Growers Exchange, Caribou, Me.
Mid-West Dairymen's Co., Chicago, Ill.
North Carolina Cotton Growers Cooperative Association, Raleigh, N. C.
National Pecan Growers Exchange, Albany, Ga.
Oklahoma Cotton Growers Association, Oklahoma City, Okla.
Oklahoma Wheat Growers Association, Enid, Okla.
Pacific Cooperative Wool Growers, Portland, Oreg.
Pacific Egg Producers (Inc.), New York, N. Y.
Poultry Producers of Central California, San Francisco, Calif.
Poultry Producers of Southern California, Los Angeles, Calif.
South Carolina Cotton Growers Cooperative Association, Columbia, S. C.
Sowega Melon Growers Exchange, Adel, Ga.
Tennessee Cotton Growers Association, Memphis, Tenn.
Texas Farm Bureau Cotton Association, Dallas, Tex.
Texas Wheat Growers Association, Amarillo, Tex.
Tobacco Growers Cooperative Association, Richmond, Va.

National Board of Farm Organizations, which is composed of the following members:

Member organizations: Berrien County (Mich.) Milk Producers' Association; Connecticut Milk Producers' Association; Cooperative Pure Milk Association of Cincinnati; Dairymen's Cooperative Sales Co.; Dairymen's League Cooperative Association (Inc.); Des Moines Cooperative Dairy Marketing Association; Farmers' Milk Producers' Association of Richmond, Va.; Inter-State Milk Producers' Association; Iowa Cooperative Creamery Secretaries' and Managers' Association; Kentucky and Indiana Dairies' Co.; Maryland State Dairymen's Association; Maryland and Virginia Milk Producers' Association; Michigan Milk Producers' Association; Milk Producers' Association, Chicago District; Milk Producers' Association of Summit County and Vicinity; Milk Producers' Association of Central California; Milwaukee Milk Producers' Association; Minnesota Cooperative Creameries Association (Inc.); New England Milk Producers' Association; Northwestern (Ohio) Cooperative Sales Co.; Ohio Farmers' Cooperative Milk Association; San Diego County (Calif.) Milk Producers' Association; Southern Illinois Milk Producers' Association; St. Joseph (Mo.) Milk Producers' Association; Twin City Milk Producers' Association; Twin Ports Dairy Association; United Dairy Association of Washington; Wisconsin Cheese Producers' Federation.

You can thus see from the above the number of reputable cooperative marketing associations that are protesting against this bill. In addition to these, as heretofore stated, are the National Live Stock Producers' Association, represented by Mr. A. Sykes, of Iowa, and the Indiana Farm Bureau, represented by Mr. John D. Brown, of Indiana. These great organizations not only are acquainted with the contents of this bill, but they are thoroughly acquainted with the principles of cooperative marketing, and do not come here, through their representatives, blindly protesting against this bill, but are protesting because they are thoroughly convinced that it will, if enacted into law, materially injure, if not destroy, the great cooperative marketing associations throughout the country.

Mr. PURNELL. Mr. Chairman, I yield 10 minutes to the gentleman from Kansas [Mr. TINCHER].

Mr. TINCHER. Mr. Chairman and gentlemen of the committee, more than a year ago there was introduced in the House the Capper-Williams bill. This bill went further than the bill we are considering to-day in the regulation of cooperative marketing. Then there was introduced and we had hearings on a bill known as the Curtis-Aswell bill. This bill set up quite a lot of machinery for the regulation and assistance of cooperative marketing. I was on the committee at that time and studied both bills and listened to the hearings and just before Congress adjourned last spring, in order that my associates on the committee, and some others, might have the benefit of what little study I had made, introduced a bill on the 7th of June on cooperating marketing, and like any other Member of Congress, would have liked it if the President's commission had adopted my bill and had been satisfied with the bill which I had introduced. But they were not. It did not go as far as this bill. It came nearer being in accord with the speech made by the gentleman from Kentucky [Mr. KINCHELOE], who has just left the floor than with this bill. I did not go very far into the cooperative marketing end of it.

However, in the hearings on the report of the Agricultural Commission I found that there were some things I did not know when I introduced the bill.

In order for cooperative marketing to be a success, there must be national encouragement. For instance, take potatoes, the little association in Colorado and the similar association in Michigan must not work at cross-purposes with one another. There must be some national encouragement.

Personally, while the commission did not adopt my pet, I believe their report is better than the bill I introduced. Not only that, but I am just as sure as I live that there was not any politics in the introduction of their report. Whatever may have prompted the President in naming an agricultural commission, whether it was to satisfy the demand of the people or whether it was to try to help agriculture, we had not had a very successful term of Congress with reference to farm legislation. Congress had failed to get together in the Sixty-eighth Congress.

Mr. WEFALD. Why did we not have a successful Congress? You Republicans controlled it.

Mr. TINCHER. I did not yield to you, but I will tell you why. Because the Republicans did not control. We had too many men here who were against everything and never stood for anything, and you are one of them. I do not yield.

It may be that the President was prompted somewhat to announce he would assemble a commission to do the best they could for the farmers after the election by such things as we have seen occur on the floor of this House. It may be that there was an element going around the country condemning him falsely for his attitude toward agriculture, and maybe he thought he ought to meet that before election. We will have to say this, if that was his idea, he was very successful in the election, even in the great Northwest. [Applause.]

But I repeat that I do not believe any man who thinks anything of his own reputation can successfully or will honestly say that the commission that reported for the President reported in the interest of any political party, or that they meant their report to be construed as a political report or that they had any politics in mind in making the report.

I do not believe the Committee on Agriculture of the House was playing politics when it reported this bill. Of course, I can not tell you what happened in the committee, but if they had been playing politics there would have been some awful traitors to a certain party that used to be a great party, because we were only reminded once every few minutes about that, and if there was any politics in it, it was when my distinguished friend from Kentucky used to take a witness in charge, and it was then, and only then, that we were reminded that there was politics in it.

I believe that the average member of the committee has tried to work out a bill that would be for the best interests of agriculture. It is true that it does not cure everything. In reference to the remarks of the gentleman from Texas [Mr. JONES], I do not know but the biggest cooperative livestock organization in the United States, with commission houses in all the leading markets, commission houses in Kansas City and Chicago that are second, if not first, in all the business transacted, was here through the local representative, and through the head, and ex-head of that organization, and testified before our committee, and said that it would help the livestock cooperatives.

Mr. HUDSPETH. Does the gentleman refer to the Texas Southwest Cooperative Association?

Mr. TINCHER. They are producers, and I refer to Mr. Sykes and Mr. Brown, who are the heads of the biggest organization of its kind in the United States, doing the second largest business in Kansas City, first in Chicago, first in Cleveland, with 18 commission houses, and the heads of that organization came here and testified for this. They represent more people in the livestock business, in the cooperative business, than any such organization in the United States. You take the people in Kansas and in Texas, the trouble is that we are not in cooperative associations. We ought to get together; there ought to be encouragement to get together. We do not do that, but work against one another.

Mr. WATKINS. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. WATKINS. Do I understand that the Kansas wheat growers are against this bill?

Mr. TINCHER. Well, there are some that had a five-year contract with the officers who get a good salary, and they are against it. I do not know whether the farmers who are suing them or being sued by them are against this or not. That is a Shapiro organization. It is financed successfully by paying Shapiro big fees. They have need of encouragement.

Mr. McKEOWN. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. McKEOWN. As I understand, there is nothing in the bill that makes it compulsory on a cooperative association to come in. Suppose they do favor it, they do not have to come in?

Mr. TINCHER. No.

Mr. McKEOWN. They can stay out, and what is the advantage to them?

Mr. TINCHER. The advantage is to the man who comes in.

Mr. McKEOWN. What is the inducement to have them come in?

Mr. TINCHER. Well, the gentleman can read the bill. The idea is to have cooperative associations cooperate together. The testimony before the committee made it plain that they were destroying one another.

Mr. HUDSPETH. Will the gentleman yield?

Mr. TINCHER. Yes.

Mr. HUDSPETH. The gentleman is interested in livestock and represents a livestock district. Since we had the McNary-Haugen bill the price of wheat has advanced, but the price of livestock has not advanced. Now, what have you done? Mr. Bixby, chairman of the livestock association, appeared before you and made certain recommendations. What have you done for them?

Mr. TINCHER. I will say that the special aid to livestock is not in this bill. The gentleman ought to know it because he is a livestock man. We have amended the intermediate bank law, attempted to reduce the freight, and the President has had on the en route now the head of the Farm Loan Board, a man from the War Finance Corporation, and the intermediate credit bank authority, helping these fellows—and I do not mean that everything in the report is in here. This is the fourth law that Congress has attempted to pass.

Mr. HUDSPETH. What has become of the bill to place a duty on hides to help livestock?

Mr. TINCHER. The gentleman knows how I feel about it. We hope between now and the next Congress that you will get a few on your side, and I will try and get some of our folks yonder, and we will try and put it over. We know that we could not pass it now. Now, it has been stated here that Mr. Hearst, of Iowa, is against this bill. I tried to get Mr. Hearst to say whether he was against it or not, and he would not say he was against it and he would not say he was unfriendly to it. He got out on the McNary-Haugen bill and thought that was the only thing that would help. That is a different thing from saying that Mr. Hearst, of Iowa, was here against the bill. Now, the only argument that the gentleman from Texas [Mr. JONES] made against the bill, outside of his speech, was in reference to arbitration—that the cooperatives should not be required to agree, when they entered into the Federal association, to arbitrate.

The claim the gentleman makes, I assume, is due to inexperience and lack of knowledge on these subjects. That would be an advantage to the cooperatives. That would be more advantage to them, such as the membership in a board of trade or grain exchange, than any other one thing, in that it is an advantage to the cooperatives to have an agreement that will arbitrate their differences instead of being sued away off from home. That will be one reason why the cooperative associations will apply for the designation of a Federal cooperative association. That will encourage them to come in instead of discouraging them. I base that on my knowledge of the advantage it is to the man who owns a membership in an exchange or board of trade to have the benefit of arbitration, and that will not keep anyone out.

Mr. JONES. Will the gentleman yield?

Mr. TINCHER. I will yield to the gentleman just like the gentleman yielded to me. It will not keep anyone out. If it should, they will not be damaged. I can not help but think there is another reason save the fear of not doing the farmer any good that is behind about 90 per cent of the opposition to this bill. I can not help but think that, and I base that on the fact that a speech was made here denouncing the commission's report when they had not even read it and did not understand it. I base that on the fact that they come here in a partisan way and fight the adoption of a rule to give consideration to a bill, and then I base that on the fact that certain men on the committee, capable of understanding agricultural questions, fight it, fight a bill, but do not point out any reason in the world for fighting it, except it is just a hobby of some one.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. PURNELL. I yield the gentleman two additional minutes.

Mr. FULMER. Will the gentleman yield?

Mr. TINCHER. I do.

Mr. FULMER. Just to keep the record straight in that connection, Mr. Sykes——

Mr. TINCHER. I have only a few minutes.

Mr. FULMER. Appeared before the committee and I asked him this question:

> Mr. Sykes, as I understand you, you will accept this piece of legislation, but you are not getting what you have been fighting for for the last three or four years?
>
> Mr. SYKES. I certainly would accept it; yes, sir; but it is not what we have been fighting for.

Mr. TINCHER. Certainly. He is for the adoption of the Haugen-McNary bill, and thinks that is the only thing that will cure the evil. But he is supporting this bill, and he is at the head of the biggest livestock cooperative association not only in the United States but in the world; handles more livestock on a cooperative basis than any man in the world. Well, it has been said there were no cooperatives here for the bill. Now, does a clerk who sits at a desk and has a cooperative letterhead and writes Congress while it is considering a bill—he writes a letter and says, "Do not vote for it"—does he fairly represent the 12,000 farmers who are members of that association? Are you going to turn down a man like the head of the Farm Bureau, a man like the head of the biggest livestock cooperative association in the world simply because—I will tell you one cooperative association that testified against this bill, the one cooperative that has objected to this bill, and that is the tobacco cooperatives. [Applause.]

The CHAIRMAN. The time of the gentleman has expired.

Mr. PURNELL. I yield 10 minutes to the gentleman from New York [Mr. CLARKE]. [Applause.]

Mr. CLARKE of New York. Mr. Chairman and gentlemen of the House, my first plea on the floor of this House was for "equality for agriculture," as it is my last. I believe the record of the last four years of Congress is a record of steps toward giving that equality to agriculture that is its due: (1) The Capper-Volstead Act, giving our cooperatives the right to orderly assemble and orderly market their production entering interstate business; (2) the filled-milk bill, that stopped the interstate shipment of a bogus, bunko, fraudulent, nonnutritious skimmed milk mixed with vegetable oils unfairly competing with our wholesome whole-milk products. I believe to-day agriculture, by and large, is finding itself handicapped in many ways. The great protective system, that not alone includes the protective tariff, but as well includes gentlemen's agreements, meetings around the table, price-fixing understandings as to what the farmer has to buy, legislation by State and Nation, and many other handicaps, have imposed an unfair handicap upon agriculture, and that there is no equality for agriculture to-day; therefore, in order to meet this unfair handicap, there is but one answer—cooperatives and more cooperatives. I do not believe this bill is a panacea, a cure-all, for agriculture; but I feel this, that in the closing hours of this Congress we can not fail to heed the recommendations of the President's conference that wants to do something for agriculture. As I say, this bill will not cure every ill in the world of agriculture, but we can not allow the farmer to continue to meet these great protective schemes which emanate

in one line and another and not give to the cooperatives the chance of fighting the devil with some of his own fire. Now, my friends, what is the good, if you will excuse the rude term, of bellyaching about things?

If you do not come here with something constructive to offer in opposition to this bill, then I have no patience with you. If you want to kill this bill, that is your responsibility, not mine. I can return to my farmer friends conscious of having done my best for them by backing the President and his conference.

Mr. ASWELL. Mr. Chairman, will the gentleman yield?

Mr. CLARKE of New York. I would be glad to yield to the gentleman, but have too little time.

Gentlemen, we should look back upon the farmers' condition in the old days and take into consideration that condition besides the things I have mentioned as existing at the present moment. There are things that stand out in my memory recalling the condition of the farmer 30 years ago, in the time of my grandfather. At the end of the year my grandfather used to make it a practice to watch the New York Tribune to find out the time at which the price of butter was best, and when that time arrived he took his firkins and his tubs of butter from the cellar and brought them up, loaded them on the wagon, drove to the railroad switch miles away, and shipped to market; from the moment he placed that butter on the train until he got the returns he was at the mercy of the commission men. When my granddad opened the letter containing the returns from that shipment he was in fear and trembling. What he prayed for was that the returns from the butter would be enough to pay the help, pay the taxes, and send one or two of the children to school for one term at Delaware Literary Institute or Delaware Academy. He was at the mercy of those commission merchants, just as is the individual farmer to-day at the mercy of this protective system. I want to do my bit to prevent the return to the conditions of granddad's days and usher in the new day of equality.

Therefore I say to you give the farmer a chance. This bill is a helpful step. [Applause.]

The CHAIRMAN. The time of the gentleman from New York has expired.

Mr. PURNELL. Mr. Chairman, unless I have made a mistake in counting, I think I have eight minutes left.

Mr. PURNELL. Mr. Chairman and gentlemen of the House, I was not aware that my friend the distinguished gentleman from New York [Mr. CLARKE] was going to sing his swan song to-day, or I would have gladly devoted the last eight minutes of this discussion to a well-deserved tribute to his loyalty and devotion to the upbuilding of American agriculture.

Mr. ASWELL. Do that [applause]——

Mr. PURNELL. His loyalty and devotion to the cause of agriculture, which has been shown during many trying hours and days in our Agricultural Committee and evidenced by his effective and unfailing support on the floor of the House, entitle him to the everlasting gratitude of the farmers of the Nation. [Applause.] The country is too prone to measure a man's service here by the regularity with which he answers roll calls, or the number of times he takes part in the debates on the floor. The gentleman from New York [Mr. CLARKE] has been faithful in attendance and effective in debate, but his greatest service has been rendered in our committee, where he has given the best of his fine talents in behalf of America's basic industry. [Applause.] It is through this association on the committee that we, his fellow members, have learned to know and love him. I regard him as one of the most valuable members who has ever served upon that committee, and know that he enjoys the respect and confidence of the Democratic Members equally with those on the Republican side. [Applause.] I am sure I voice the sentiment of this House when I express the hope that the people of his district whom he has represented so faithfully and well will send him back to this body that he may continue his work so well begun. [Applause.] I am sure we all feel a keen regret at his leaving and without regard to politics wish for him and his the very best that life has to offer. [Applause.]

I want to call attention to one or two statements made by the distinguished gentleman, who represents Burley tobacco district from the State of Kentucky, who by his very nature——

Mr. KINCHELOE. I do not represent the Burley tobacco people, although I must say it is a very splendid organization.

Mr. PURNELL. I understand the resolutions which the gentleman read in his remarks were contained in a report of a convention made in 1918.

Mr. KINCHELOE. No. Those resolutions were adopted on the 18th of January of this year.

Mr. PURNELL. Well, they sounded very much like 1918.

Mr. BLANTON. Mr. Chairman, will the gentleman yield?

Mr. PURNELL. I regret I can not yield. I would like to proceed without interruption from the gentleman from Texas just once, if the gentleman please. [Laughter.]

Reference has been made a number of times to the President's agricultural conference and the appointment of its members. Some of the gentlemen who are not in sympathy with the administration pretend to see some political significance in the fact that the President promised to call this conference and made his announcement before the election. I did not then and do not now regard it as a political move. In fact, I think the President gave substantial proof that it was not a political move when he waited until after election to appoint the members and call the conference. In any event the people seem to have approved his course. Personally, I do not think there was a thought or suggestion of politics in it. I do not believe I am violating any confidence or stating anything I should not state on the floor of this House when I say that within the last few days the President said in my presence that at the time he named the members of this conference he did not know the politics of any of them.

I believe he appointed this commission for the sole purpose of studying the agricultural situation, with a view to making some definite suggestions and recommendations that might be translated by this Congress into legislation. The people expressed their confidence in the President at the polls in November, and will have confidence in any report or suggestions made by the commission chosen by him to study this problem. The conference has not completed its labors. It is a continuing body. This is only a preliminary report. As four or five members of that commission said before our committee, they expect to pursue their investigation at least until they have worked out a plan whereby agriculture may be put upon an equal footing with all other business and thereby give to agriculture the same protection which other industries enjoy. To my mind this will be the crowning work of the President's commission.

The conference in its preliminary report made certain definite suggestions, among which was the following:

> It is the opinion of the conference that the time has arrived to give due emphasis to the fact that the present problems of agriculture rest upon the ability of the farmer to market his goods at a profit, and that constructive assistance to such problems may be found through the development of producers' marketing organizations creating the opportunity for orderly distribution, economies in operation, and adherence to approved standards and grades.

In compliance with this suggestion, our committee after two weeks' hearing and study has brought before this House a bill which conforms as nearly as it is possible to make it to the views expressed by the commission in their report and enlarged upon by some of its members who appeared before us.

I do not agree with the gentleman from Kentucky [Mr. KINCHELOE], who says we are creating a great Federal board with plenary powers, which shall pyroot—whatever that may mean—around among these various organizations. If there is any pyrooting to be done—and I presume by that he means nosing into the affairs of these concerns—it will be done at the request of the cooperatives themselves. I repeat what I attempted to say to the gentleman when I interrupted him during his speech, that if any cooperative organization of this country suffers by reason of this board it will be because it remains outside and not because it will or can be persecuted by it.

I believe they will be materially helped if they come in. I agree with the gentleman when he says that we were all pleased with the report made by Mr. Tenny, of the Department of Agriculture. He outlined to us very graphically what has been done by the Department of Agriculture in the cooperative marketing field. I dare say that none of the members of the committee knew of the work that has already been started under this bureau within the Department of Agriculture. The gentleman from Kentucky has complimented it, and I also want to compliment it. But I want to add this: If it has been possible with the limited amount of funds given the Department of Agriculture, with three or four experts to gather the information and give the helpfulness that the Department of Agriculture is able to give and has given to all cooperative marketing associations, how much more help can a board selected by the cooperatives themselves, made up of men who are familiar with this great work and having sufficient funds at their disposal, render the cooperatives throughout the United States?

I want now to set out briefly the purposes of this bill. It proposes to establish a board to be known as the Federal cooperative marketing board, to be composed of six members.

Five of the members are appointed by the President by and with the advice and consent of the Senate, two for terms of one year, two for terms of two years, and one, to be designated as chairman, for a term of three years. The Secretary of Agriculture is the sixth member. Appointments of successors to the original five members are made for terms of six years. After the first year each appointment is to be made by the President by and with the advice and consent of the Senate from a list of 10 individuals who are nominated by the registered cooperative marketing associations who bring themselves within the Federal cooperative marketing system set up in this bill. The various associations which comprise the Federal system cast their votes for members of the board, and the President is required to make his nominations from the 10 individuals who receive the greatest number of votes. In voting and in making the nominations and appointments due regard must be given so that there will be one appointee who has knowledge and experience in the production and marketing of livestock, one in grain, one in poultry products, one in cotton and tobacco, and one in fruits and vegetables. Not more than three of the appointed members can be of the same political party. Thus it will be seen that after the board is once organized the cooperatives themselves will select the members of the board and thereby determine its policies.

Much has been said during this debate concerning the powers of this board. Let me detail them. Section 21 confers upon the board certain special powers as follows:

(a) To aid in surveys and investigations when application is made by groups of producers or by associations desiring to organize, and to make suggestions as to the type of organization suited to the problems of the group or association making application.

(b) To provide for registration of associations as members of the cooperative marketing system and to suspend or revoke their registration.

(c) To examine any registered association, and to audit its accounts if the association so requests, leaving it to the discretion of the board as to whether the audit is to be made with or without cost to the association. The board can require from each association, not oftener than twice every year, a sworn statement of the financial condition of the association.

(d) To provide a method of arbitration and settlement of all disputes and to require an association to abide by any award of the board.

(e) If application is made, to consider and advise upon problems confronting any agricultural industry and to call upon any department of the Government for assistance in studying such problems, for statistics, or for other appropriate action.

(f) To call a meeting, at least once a year, of representatives of the registered associations to discuss questions of importance, such as the developing of an improved marketing system, grades and standards, elimination of waste, and volume of production.

(g) To cooperate with any department of the Government or of any State or Territory or with any person.

A mere reading of the proposed powers of this board ought to be sufficient answer to the charge that we are contemplating any bureaucratic control of the cooperatives. On the other hand, it seems to me that there is in this section as well as the entire bill a clearly disclosed purpose to not only set up a purely voluntary plan of registration but to also leave with the cooperatives the right to determine their own policies.

The plan set up under this bill is voluntary. All cooperative marketing associations which qualify under the Capper-Volstead Act may bring themselves within the purview of this bill by registering. It must be remembered, however, that there is nothing in the bill to compel any cooperative association to register and there is nothing which will deprive any association which does not register of any of the rights, privileges, or immunities which it now has under existing law. If the cooperative association chooses to register, it in effect enters into an agreement with the Federal cooperative marketing board to submit semiannual reports of its financial condition and to have the board settle its disputes in respect of grades and condition of agricultural products and trade practices.

The registered associations are entitled to use the word "Federal" as a part of their title. Each registered association may also use the term "Member of Federal cooperative marketing system" on its stationery and labels and in its advertising.

Whether cooperative marketing associations register or not they will be greatly benefited by certain amendments to the Capper-Volstead Act which are provided for in Title II of the bill. These amendments will relieve the present-day restrictions as to dissemination of crop and marketing information and as to production, pooling, and storing agricultural products. Capper-Volstead cooperatives have hesitated to exchange crop and market information, to carry out production programs, and to pool their products because of the antitrust laws. The Capper-Volstead Act provides that "such associations may have marketing agencies in common," but the act does not define the status of such marketing agencies, and section 2 of the act, which provides for regulation of "associations" by the Secretary of Agriculture, does not include in its terms the regulation of its marketing agencies. The question, therefore, as to when, under the present act, a marketing agency is (1) subject to the general antitrust laws, (2) subject only to the regulatory provisions of section 2 of the act, or (3) subject to no restraint of any kind, can not be definitely answered.

In the bill the attempt was made to cover the above problems by specific amendments to the act. The amendment which enlarges section 1 to compose three sections reenacts the existing law and also grants authority to groups of producers composing a Capper-Volstead association (a) to exchange crop and marketing information, (b) to make and carry out the program of orderly production in marketing, and (c) to pool and store products. The amendment also gives the right to the associations themselves in turn to associate for these new purposes and also for the old purposes found in section 1 of the present law. The present law permits associations to "deal" in products of nonmembers and the bill clarifies this term by using the words "pool, process, prepare for market, store, handle, and market" instead of "deal," and thereby removes doubts as to the interpretation of such word. Another amendment which adds two new sections deals specifically with marketing agencies dividing them into two classes—(1) those which are composed exclusively of Capper-Volstead associations, and (2) those which are not. The first group are only subject to the regulatory provisions of section two (now section 4), while the second group are subject to the antitrust laws enumerated in section 6 of the act, as amended.

Opponents of this bill base their opposition upon the alleged belief that it will involve the Federal Government in the management of cooperative associations and destroy the cooperative movement in this country. If I shared in this belief I would oppose this measure as vigorously as I am supporting it. I believe the opposite is true. I firmly believe that this plan, if adopted, will serve as the first great step in helping the farmer organize his own marketing associations and through a Federal board of his own selection, run his own business. No one is more bitterly opposed to Federal domination in agricultural matters than I. This bill has been so framed as to have a minimum amount of Federal interference. The board created by the terms of this bill is calculated to help the farmer rather than dictate to him. It is his direct contact with the Government. The entire organization created under this bill is the very embodiment of the cooperative principle. Farmers can individually and collectively present their problems to their board and either get action or select others to represent them.

I repeat what I have said a number of times during the debate on this bill. If we are to have cooperative marketing legislation at this session it must come through the adoption of this bill. Those who are opposed to such legislation, those who are opposed to the President's program, those who are opposed to the report of the President's agricultural commission will support the various substitutes and amendments which are offered. For myself I shall oppose them all and do what I can to bring about the passage of this bill which embodies the recommendations of the Agricultural Commission in the hope that we may do something constructive in behalf of the cooperative movement before we adjourn. [Applause.]

The CHAIRMAN. The time of the gentleman from Indiana has expired. All time has expired, and the Clerk will read the bill for amendment.

The Clerk read as follows:

Be it enacted, etc.—

TITLE I.—FEDERAL COOPERATIVE MARKETING SYSTEM

PART 1.—FEDERAL COOPERATIVE MARKETING BOARD

Organization

Mr. BLANTON. Mr. Chairman, this is Saturday afternoon and it is now 5 o'clock. Will not the gentleman let us off now?

Mr. PURNELL. Mr. Chairman, I would like to say to the gentleman, in answer to his question and for the information of Members of the House, that which the Members already know, that this session of Congress is rapidly drawing to a close and that if we are going to pass this measure, which is

one of those recommended by the President's commission and sponsored by the President of the United States, then we will have to forego the pleasure of leaving early to-night. If the membership of this House wants to stay and carry out this program, we can read this bill and pass it. Those who want to obstruct and prevent its passage will have to do so on their own responsibility.

Mr. GARRETT of Tennessee. Mr. Chairman, that is not a very proper statement.

The Clerk continued reading the bill, as follows:

SECTION 1. There is established a board to be known as the Federal cooperative marketing board (hereinafter referred to as the "board").

Mr. GARRETT of Tennessee. Mr. Chairman, if I can not say a word, I move that the committee do now rise.

The question was taken; and on a division (demanded by Mr. GARRETT of Tennessee) there were—yeas 38, noes 75.

So the motion was rejected.

The Clerk read as follows:

(a) Five members appointed by the President, by and with the advice and consent of the Senate, two for a term which shall expire one year after the date of the approval of this act, two for a term which shall expire two years after such date, and one (to be designated as chairman of the board) for a term which shall expire three years after such date; and

(b) The Secretary of Agriculture.

Mr. DICKINSON of Iowa. Mr. Speaker, I offer an amendment which I send to the Clerk's desk.

The CHAIRMAN. The gentleman from Iowa offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. DICKINSON of Iowa: Page 1, line 7, strike out the section and insert in lieu thereof the following:

SECTION 1. That the short title of this act shall be the "Federal marketing act." Its administration shall be under the direction and control of the Federal cooperative marketing board in cooperation with the United States Department of Agriculture.

DECLARATION OF POLICY

It is hereby declared to be in the public interest to promote, foster, and encourage the intelligent and orderly marketing of agricultural products through cooperation of the producers thereof; to eliminate speculation and waste; to make the distribution of agricultural products between producer and consumer as direct as can efficiently be done; to stabilize the marketing of agricultural products; and to provide for the organization of cooperative marketing associations of the producers thereof for the marketing of such products.

WHEN USED IN THIS ACT

SEC. 2. The term "cooperative marketing association" shall be deemed to be such an association of producers of agricultural products as is formed as a cooperative marketing association under the laws of any State, and operating within and under the scope and provisions of chapter 57, Forty-second Statutes at Large, entitled "An act to authorize associations of producers of agricultural products," and are actively marketing agricultural products in interstate commerce.

COOPERATIVE MARKETING ADVISORY COUNCIL

SEC. 3. A cooperative marketing advisory council, of not to exceed 40 members, is hereby created to consist of representatives of cooperative marketing associations actively engaged in marketing their products in interstate commerce in each of the following commodities: Dairy products, small grains, large grains, cotton, tobacco, hogs, beef cattle, sheep and wool, citrus fruits, potatoes, dried and canned fruits, nuts, apples, pears, and peaches, and such additional commodities as may from time to time be deemed advisable in the opinion of the Federal cooperative marketing board, to be included in order to meet the expanding development of cooperative marketing and of the various agricultural commodities. This council shall be constituted in the following manner:

(1) Whenever the leading cooperative marketing associations interested in any commodity are federated into a national association, corporate or otherwise, one or more representatives may be nominated by such association to represent that commodity, and in such case the Secretary of Agriculture shall appoint the person or persons so nominated as members of the council and representing such commodities.

(2) In all other cases the various cooperative marketing associations engaged in marketing any commodity in interstate commerce shall make nominations and the Secretary of Agriculture shall choose a representative for each commodity from the persons so nominated.

(3) In the case of dairy products, grains, cotton, tobacco, and other widely produced and marketed products, in the discretion of the Secretary of Agriculture, there may be not to exceed three representatives for each of such commodities.

The term of office of the members of the cooperative marketing advisory council shall be for one year, and vacancies caused either by expiration of terms or otherwise shall be filled in the same manner as provided for in the original selection.

The members of the advisory council shall be entitled to traveling allowance for attending meetings thereof as provided by the statute of limitations of the Department of Agriculture, and to additional compensation of $25 per diem for services from the time of leaving their home until the return thereto immediately thereafter, after performing the necessary services of their office.

The Secretary of Agriculture shall call the first meeting of the council within 90 days after this bill becomes enacted into law, and thereafter it shall meet at least twice yearly at the call of the chairman of the Federal cooperative marketing board, or upon petition, duly signed by one-fourth of the members of the council.

POWERS AND DUTIES OF ADVISORY COUNCIL

SEC. 4. The cooperative marketing advisory council shall nominate eight persons, of whom the President shall appoint four, by and with the consent and approval of the Senate, and who shall become members of the Federal cooperative marketing board, and who shall serve terms of office as provided in section 6 of this act.

The council shall at its meetings consider questions of general policy in relation to cooperative marketing, and shall advise and cooperate with the Federal cooperative marketing board and recommend to such board all measures in its judgment necessary or advisable in order to carry out the purpose and intent of this act.

The Federal cooperative marketing board shall sit in and take part in all meetings of the advisory council.

FEDERAL COOPERATIVE MARKETING BOARD

SEC. 5. The Federal cooperative marketing board is hereby created to consist of five members, four of whom shall be appointed by the President of the United States, by and with the advice and consent of the Senate, upon nomination as provided in section 4 of this act. The other member shall be ex officio the Secretary of Agriculture and his successor in office. Of the members appointed by the President, one shall be designated by him to serve for a term of one year, one for two, one for three, and one for four years, and thereafter, each member appointed shall serve for a full term of five years, unless sooner removed for cause by the President: *Provided*, That any person appointed for a vacancy caused by other than the expiration of office shall be appointed for the unexpired term of the member he succeeds. The President shall designate one of the members to be chairman of the board.

Each of the appointed members shall be a citizen of the United States and shall be a member in good standing in or the representative of a cooperative marketing association, approved by it, and the advisory council in making its nominations shall, as far as practicable, give representation to the larger commodity groups and to the various sections of the United States, to the end that the board, when appointed, shall represent the principal agricultural lines of cooperative marketing in all sections of the United States. Each appointive member of the board shall receive a salary of $10,000 per year, and expenses when away from Washington on official business.

POWERS AND DUTIES OF THE FEDERAL COOPERATIVE MARKETING BOARD

SEC. 6. The Federal cooperative marketing board shall have the power within the limitations of the appropriations available to it:

(a) To employ a secretary and incur and authorize expenditures for all clerical and other assistance, expenses traveling and subsistence, printing and binding, books and stationery, rent of office, office equipment, and supplies and all other expenses of every kind contemplated by this act. It may also authorize the Bureau of Agricultural Economics of the Department of Agriculture to authorize and incur such expenditures within the limitation of the appropriation available to it, as the board may deem advisable, for services of experts or specialists in order to render special assistance to cooperative marketing associations or to producers desiring to organize cooperative marketing associations. The appropriations provided in this act shall be available for such purpose.

The board shall be continually accessible to representatives of cooperative marketing associations and producers desiring to organize such associations.

(b) It shall meet at the call of its chairman as soon as is practicable after the appointment of the members thereof at a date and place to be fixed by the chairman, and it shall meet at least weekly and at such other times as the chairman or the Secretary of Agriculture may deem advisable.

(c) It shall be the duty of the cooperative marketing board to recognize, promote, encourage, and aid in the formation of cooperative marketing associations of producers of farm products; to make surveys for this purpose, and to aid, advise, and assist such associations by recommendation of efficient methods of accounting and auditing, of form of contract with producers and the methods of financing;

upon application of such associations it shall request the Bureau of Agricultural Economics of the United States Department of Agriculture to send experts to help install systems of accounting, and it shall take all such other steps as may be desired by such associations as shall be within the purpose and intent of this act to promote the economical and efficient operation of such associations.

(d) It shall be the duty of the board to advise and cooperate with the Bureau of Agricultural Economics in ascertaining conditions existing with regard to cooperative marketing and in the production and distribution of agricultural products, and in promoting and encouraging the formation and operation of cooperative marketing associations.

(e) It shall be the duty of the board to consider special questions of policy affecting the marketing of farm products having to do with their distribution, transportation, financing, and to make recommendations to the Secretary of Agriculture or to other governmental departments, boards, and commissions which in its judgment are deemed advisable. The Federal cooperative marketing board may call upon the Department of Agriculture and other Federal departments, boards, and commissions of the Government for assistance in carrying out the purposes of this act, and such departments, boards, and commissions are directed to cooperate in every proper way to assist the board in its work.

(f) The board may investigate existing conditions of crop production and shall have the power to advise producers of farm products as to the probability of overproduction of any commodity or commodities, in order to prevent surplus production and depression of prices resulting therefrom.

(g) To promote the establishment of uniform standards and grades where standards and grades have not been established, by or under the authority of any other act of Congress; and for this purpose shall cooperate with the Bureau of Agricultural Economics.

(h) To discuss, investigate, and perfect a program for the development of a more perfect marketing system; more efficient marketing by cooperative associations; to improve accounting systems; improve standards and grades; elimination of waste; and the volume of products required in the public interest; to formulate recommendations thereon; and to cooperate with State marketing boards, commissioners, or directors now or hereafter appointed or established; to appoint advisory committees composed of either their own members or members of the advisory council to promote and carry out the purposes of this act.

(i) The board shall submit an annual detailed report of its activities to the Congress.

SEC. 7. For the purpose of promoting equitable and advantageous distribution and disposition of their products, cooperative marketing associations, singly or collectively, may pool their products, exchange crop and market information, and make and carry out orderly production and marketing programs; may form associations or provide agencies for the joint marketing and disposition of their products.

SEC. 8. The Bureau of Agricultural Economics of the United States Department of Agriculture, in cooperation with the Federal cooperative marketing board, shall collect information and statistics regarding production and sale of agricultural products, both foreign and domestic, and shall make available to the various cooperative marketing associations and to the Federal marketing board information and statistics so gathered.

SEC. 9. Nothing herein shall be taken or construed as modifying or repealing the provisions of chapter 57, Forty-second Statutes at Large, entitled "An act to authorize associations of producers of agricultural products."

SEC. 10. For the purpose of carrying out the provisions of this act there is hereby authorized to be appropriated, out of any moneys in the Treasury not otherwise appropriated, the sum of $500,000, to be available for expenditure by the Federal cooperative marketing board and by the Bureau of Agricultural Economics, United States Department of Agriculture, as provided in this act, from and after the passage of this act until June 30, 1926.

During the reading of the amendment the following occurred:

Mr. PURNELL. Mr. Chairman, I desire to make a point of order against the introduction of this entirely new bill as a substitute for the bill before the House, on the theory that the gentleman has not given notice that he intends to substitute subsequent sections in case his amendment is adopted, and for the further reason that it is not germane to this section.

Mr. BLANTON. The gentleman can give that notice after it is read. After the amendment is reported is the proper time to give the notice.

Mr. DICKINSON of Iowa. I expect to give the notice in due time.

The CHAIRMAN. The notice can be given at any time, and the Chair overrules the point of order.

Mr. PURNELL. Mr. Chairman, I understood it was necessary to give the notice at the beginning; is that true?

The CHAIRMAN. It is usual and customary to give such notice at the beginning, but the Chair does not think it has ever been held to be absolutely necessary.

The Clerk completed the reading of the amendment.

Mr. DICKINSON of Iowa. Mr. Chairman, I want to make the statement at this time that if this amendment is adopted I shall make the proper amendment with reference to the following sections in the bill to make them correspond with this amendment.

Mr. BLANTON. By striking out or otherwise?

Mr. CHINDBLOM. Then I make a point of order against offering the amendment at this time, because that is not sufficient notice under the rule.

Mr. BLANTON. Give notice that you will move to strike them out.

Mr. DICKINSON of Iowa. I have stated that, and I think that is sufficient notice.

Mr. CHINDBLOM. Is the gentleman from Iowa or the gentleman from Texas offering the amendment, Mr. Chairman?

Mr. BLANTON. Oh, we are all helpful to one another.

Mr. WINGO. It is a matter of cooperation. [Laughter.]

The CHAIRMAN. The gentleman from Iowa is recognized.

Mr. DICKINSON of Iowa. Mr. Chairman, I want to explain my reasons for offering this bill as a substitute for the bill now pending before the House. I have always been in accord with the Committee on Agriculture of this House. At the present time I do not care to commit myself with reference to the merits or the demerits of the present bill.

I want to make the suggestion that in this amendment I have tried to carry out the desires of the cooperative concerns of this country with whom this bill has got to do, with whom this bill must deal, and I believe their wishes are expressed in this amendment to a greater degree than they are expressed in the bill that is now pending before the House. That is my only reason for offering this as a substitute.

I want to express a few of the principles involved with reference to the merits of this amendment in comparison with the merits of the bill now pending.

In the first place, there is the question of creating a marketing board. I have provided machinery here by which that marketing board shall at once be created by the very people who are interested in and now have their investments in cooperative marketing concerns. There is no chance of there being appointed on that board some one who is unfriendly or some one who has a different policy with reference to what the cooperative marketing concerns of this country are going to do. Under the present bill there is provided complicated machinery by which cooperative concerns are going to vote and make certain nominations within two years. I have provided arrangements by which we shall create a council composed of 40 representatives of various cooperative organizations all over this country, and they, representing the various cooperative concerns with which they are connected, will come in here and nominate eight persons, of whom four are to be selected by the President, making up the four additional members of this board.

I also want to call your attention to the fact that there is no use passing a law here for the benefit of cooperative marketing concerns if the individual members of those concerns are not going to come into your organization, for the reason that this board, if it functions and functions for the benefit of the cooperative marketing concerns of this country, must function with the personnel of those organizations.

You have in the present bill an effort to head an organization at the top and have it extend its influences down to the individual members. In other words, it is building from the center and extending its influences out to the outside. In my proposed amendment we are trying to formulate a cooperative marketing board where the influence comes from the outside, up through the council and into a board, and they are the ones who are going to determine the policies of the very organizations that they represent in that board.

This, I believe, confirms the views of President Coolidge presented to this commission down there when he said:

> Cooperation must start from the soil. It must have its beginnings in small and modest units. It must train the people who are to use it to think cooperatively. That will be a process requiring time and attended with failures. As the people learn the lesson their particular projects in cooperation will gain strength, will command increasing confidence, will expand the benefits to their members. * * *
>
> They must begin with small things and must have the sincere, courageous, determined support of their members. Granted that much, they can be quite safely relied on to take care of themselves. Their

greatest danger is in too ambitious beginnings, too eager expectations, which breed early disappointment and discouragement.

One is building from the top down, and the other is building from the bottom up. I have heard it said that there are a great many people that know more about cooperative marketing than those in the actual occupation. I want to say that if you will take a member of this board appointed from Iowa and have him attempt to work out the tobacco problem of Kentucky, he will not know anything about it. If you take a man interested in apples in the Northwest and put him in the South and try to have him work out the cotton problem, he will not know how to do it. In other words, we ought to have in this council that I have provided various commodity representatives all over the country. They would know how to go to work and work out the policies that they thought were for the best interests.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKINSON of Iowa. I ask for five minutes more.

The CHAIRMAN. Is there objection?

There was no objection

Mr. DICKINSON of Iowa. Now I have told you of the creation of the board. I want to have something to say with reference to its influence on the cooperative market concerns of the country. In my bill I am trying to lead, assist, and encourage. In the bill before the House you are asking registration and legal control. I contend that there is nothing that the farmers of this country resent like having the Government impose on them requirements that they must comply with in order that they may have cooperative associations that can exist under the law. They want encouragement, they want assistance, they want advice, but they do not want to be told that they have got to keep their figures in that column in order to meet the requirements of the market board located in Washington. Therefore we are trying to assist, to lead, to encourage, and that is what the cooperative market concerns of this country want at the present time.

What is the objection to nationalizing cooperative associations at the present time? I will tell you the objection. It is the diversification of interests all over the country. I want to say that the Fruit Cooperative Association of California knows but mighty little about the problem of the milk association in the city and State of New York. I want to say to you that the tobacco concerns of the South know nothing about the potato problem in Michigan or that section of the country. We are not in shape and cooperative market associations are not developed to the point of standardization where you can put in force a drastic authority over them, so far as requirements of auditing and standardizing are concerned.

Mr. PURNELL. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. PURNELL. Does not the gentleman think that under the provisions of the bill a board composed of gentlemen representing the various leading products of the country could cooperate so that when final decision is reached it will have incorporated in it the ideas that gentlemen representing the tobacco interests or the dairy district or the apple district——

Mr. DICKINSON of Iowa. No; in the first place you have got to proceed for two years under a board appointed, and do not represent the commodities; and in the second place, if the board is worth anything they are going to have such an influence in the organization so as to perpetuate its personnel and policies.

Mr. McKEOWN. Will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. McKEOWN. Will a man be appointed to represent the tobacco interests and the cotton interests from one State?

Mr. DICKINSON of Iowa. They could not, and that is the reason I provide for the advisory council to get men representing the various commodity problems of agricultural products produced all over the country, and which has really made the country.

Mr. PURNELL. The gentleman does not want to leave the impression that he is afraid to trust the President?

Mr. DICKINSON of Iowa. Oh, no; I am not afraid to trust the President; but sometimes the President's appointees do not do the things that the President expects them to do.

Mr. PURNELL. That is hardly a sufficient answer.

Mr. DICKINSON of Iowa. The President can not be the absolute sponsor of all the acts of his appointees, and for that reason I think there is involved here some very far-reaching policies that have to do with the very creation of this board, and I am providing that these men who are appointed on the board are to be selected from the leading cooperative organizations of the country that know the cooperative problem and have been trained for leadership by experience.

The CHAIRMAN. The time of the gentleman from Iowa has again expired.

Mr. DICKINSON of Iowa. I ask for five minutes more.

Mr. PURNELL. Mr. Chairman, this is a very important bill, one of the most important of the session, and I think it ought to be thoroughly discussed. I ask unanimous consent that the gentleman have five minutes more.

The CHAIRMAN. Is there objection to the request of the gentleman from New York?

There was no objection.

Mr. GARRETT of Tennessee. Mr. Chairman, I think this is of such importance that there ought to be a quorum here to hear the discussion. I make the point of order that there is no quorum present.

The CHAIRMAN. The gentleman from Tennessee makes the point of order that there is no quorum present. The Chair will count. [After counting.] One hundred and ten Members present, a quorum.

Mr. DICKINSON of Iowa. I want to take up another phase of this question. We find under the registration provisions of the bill now pending that they contend it is voluntary, but everyone knows that if two associations were engaged in the same line of work and one had a certificate of good health from the Government with the Government approval, and the other one was outside of the registration of Government requirements, the one would point to the other and say "Well that association is not much good."

Its finances have not been audited by the Government, they have not complied with the Government's standard and for that reason they have not been given a certificate, and they would thereby force every organization of this country to the standard required by this bill and for that reason I believe that our commodity production of this country is too varied for such a requirement at this time. I make this point, that agricultural products are not standardized yet to where you can standardize the organizations that have to make the sale of them. We are gradually increasing every year the amount of farm products that go to the markets through the purchasers of the cooperative associations. We want to continue to increase that amount, but if you are going to maintain an organization here that is going to take that directory authority over them you are at once confronting a great many organizations that are now in existence with discouraging requirements and they are going to say, "We do not want to make an audit of our books twice a year and submit to the inspection of a Government employee, and for that reason we are not going to register." And then they might meet the competition suggested a few minutes ago, that is that the other fellow will point the finger of scorn at them and say, "You are not within the classification approved by the Government." But that is not the worst of it.

There are over this country individuals, private and corporate concerns, in competition with the cooperatives, and they are the ones who would spread the propaganda and send the data out in the community saying these cooperative concerns have not complied with the Government requirements and point the finger of scorn at them and say, "Therefore you can not trust them." Let me suggest this to you: Here is an acquired audit of your cooperative marketing concerns, if the Government is to acquire sufficient data to determine the soundness of such organization, and I would like to ask any gentleman here from the State of New York, how long they think it would take a group of auditors, say of three, to go into the milk-producers' association of the State of New York and make an audit of their books sufficient to show that the Government can give them a certificate of financial soundness and that they have a sound policy for the handling of their business? I will suggest to you that no system of Government audits can audit such an organization within 12 months' time so that the Government would be safe in giving a certificate of good health to that organization and say that its bookkeeping and its financial policies are sound.

The CHAIRMAN. The time of the gentleman has expired.

Mr. DICKINSON of Iowa. I would like to have about two minutes more.

The CHAIRMAN. The gentleman from Iowa asks that his time be extended for two minutes. Is there objection? [After a pause.] The Chair hears none.

Mr. DICKINSON of Iowa. I would like to suggest that if you pass the Government audit, even though only permissive, and you go out and audit the books of the cooperative livestock association, of which Mr. Sykes is now an official, whether or not you could do it within six months' time and bring back a report that the Government would be authorized or justified in issuing a certificate of character to that organization?

Mr. TINCHER. Does the gentleman's amendment provide that the board shall audit the books twice a year?

Mr. DICKINSON of Iowa. No, sir.

Mr. TINCHER. The bill does not either.

Mr. DICKINSON of Iowa. The bill provides that if they come in and register you must have an audit to determine its soundness and then a financial statement twice a year.

Mr. TINCHER. No; nothing like that is in the bill. I thought it was in the gentleman's amendment and for that reason I asked the question.

Mr. DICKINSON of Iowa. The bill provides, I think, twice a year.

Mr. TINCHER. Nothing like it; the gentleman is misinformed.

Mr. CHINDBLOM. It does provide an audit whenever the marketing board thinks it is necessary.

Mr. TINCHER. Whenever the board calls for it.

Mr. DICKINSON of Iowa. I stand corrected; it is not exceeding twice a year when demanded.

But within the registration provision of the bill you have got to have that statement; it has got to be satisfactory to the board and must be based on an audit or you would not be justified in giving it.

Mr. CHINDBLOM. In order to get a clean bill of health they have to ask for it.

Mr. DICKINSON of Iowa. Absolutely, in order to stay in the organization.

The CHAIRMAN. The time of the gentleman has again expired.

Mr. CLARKE of New York. I ask that the gentleman have five additional minutes.

The CHAIRMAN. Is there objection? [After a pause.] The Chair hears none.

Mr. CLARKE of New York. Does not the gentleman think it is very proper that if the cooperatives should go out bearing the registration mark of the Federal Government, the Federal Government assuming the responsibility for that mark, that they should be audited?

Mr. DICKINSON of Iowa. That is the reason, the very best reason for not requiring registration. I do not believe we ought to have a Government registration. I do not ask for any registration in my bill. I do not know of a single, solitary cooperative marketing concern in this country that has asked for a Government registration, not one.

Mr. PURNELL. Permit me to state that one of the largest cooperatives in this country, from the gentleman's own State, Mr. Sykes, asked for it.

Mr. DICKINSON of Iowa. Oh, no; I am very well acquainted with the frame of mind of Mr. Sykes. I do not know what impression he left with this committee, but I know Mr. Sykes told me he does not want any Government audit of the books of his concern.

Mr. PURNELL. I would like to state for the information of the gentleman that Mr. Sykes spent at least two hours with the committee, and we adopted, so far as I know, every amendment that he suggested in the draft of the bill.

Mr. DICKINSON of Iowa. Mr. Sykes approved, as I understand, the McNary-Haugen bill.

Mr. PURNELL. The McNary-Haugen bill and this bill are two different things. This has to do with cooperative marketing and——

Mr. DICKINSON of Iowa. Has the gentleman anything showing that Mr. Sykes approved that bill?

Mr. PURNELL. Certainly.

Mr. DICKINSON of Iowa. I do not think the gentleman has. I think Mr. Sykes was noncommittal in reference to his approval of that bill.

Mr. VOIGT. On this question of audit I want to suggest to the gentleman that before a cooperative association can be licensed under the bill reported by the committee the board must be satisfied with the financial soundness or condition of the cooperative. Now, before the board can be so satisfied, that involves an audit.

Mr. DICKINSON of Iowa. Otherwise they would be issuing certificates to organizations when they knew nothing about their financial soundness.

Mr. TINCHER. Mr. Chairman, will the gentleman yield?

Mr. DICKINSON of Iowa. Yes.

Mr. TINCHER. You do not believe in encouraging the so-called fly-by-night, irresponsible cooperative associations?

Mr. DICKINSON of Iowa. I do not.

Mr. TINCHER. Does your bill suggest anything along that line?

Mr. DICKINSON of Iowa. It does not. Let me tell you why. As long as the farmers are led astray by promoters who are organizers and not real cooperatives, you will find cooperatives failing. But let me suggest this to you: When the food producers of this country have organized cooperative concerns and a greater average of those concerns have been successful in their operations than the average business concerns, what criticism can you bring against them wanting to continue, if you please, in organizing their own concerns and working out their own salvation, with such assistance and encouragement as can be given by the Government? That is my position, and that is what my bill tries to do. It tries to give encouragement and formulate policies that are necessary in order to protect and carry out the interests of the producers of the various food commodities. That is all that I believe the farmers of the country want to have done at the present time.

I do not believe they want to go into a registration or accounting process that they may at least be required by the bill now before the House; and that is my reason, gentlemen, for presenting here for your consideration this amendment of mine, which will be practically a substitute for the bill pending before the House. [Applause.]

This matter has been presented by me after very careful consideration. On February 6, 1925, I appeared before the Agricultural Committee and suggested the plan outlined in my bill. On February 7 I introduced the bill in the House and it was referred to the Agricultural Committee. It has been pending before that committee during their deliberations on this subject. The bill before the House may carry out more fully the recommendations of the President's commission, but I am convinced we should not be controlled by the recommendations of any interest other than the interests of those we are seeking to legislate to help. It is my judgment that the cooperative concerns of the country are practically unanimous against this bill. They want an expansion of the Bureau of Markets in the Department of Agriculture. They have faith in the leadership of that department. My bill rededicates to this department renewed faith in its leadership and gives encouragement for expansion and growth. My bill as embodied in this amendment has the support of many cooperatives.

To show the interest of cooperatives in the matter I insert two wires:

DES MOINES, IOWA, *February 19, 1925.*

L. J. DICKINSON,

House of Representatives, Washington, D. C.:

Earnestly protest passage of Capper-Haugen bill present form. Also against amendment Capper-Volstead Act.

E. L. NICKLE,

Manager Des Moines Cooperative Dairy Marketing Association.

HARRISBURG, PA., *February 19, 1925.*

Hon. L. J. DICKINSON,

House Office Building, Washington, D. C.:

Have been instructed to advise you that the Pennsylvania State Grange favors Dickinson bill regarding farmers' cooperative association. We emphatically oppose any plan calling for Government regulation and control. Such a plan would hinder and not help the farmer. Also oppose any change in Capper-Volstead law at this session.

FRED BRENCKMAN, *Secretary.*

Also comment from the Wallace's Farmer, Des Moines, Iowa, formerly published by the late Secretary Wallace, of the Department of Agriculture:

AIDING THE COOPERATIVES

Representative DICKINSON of Iowa has introduced a bill in Congress that provides the sort of Federal assistance to cooperatives that the cooperatives themselves want. Instead of intrusting excessive regulatory powers to a group of hand-picked associations, as is provided in the Williams bill, the Dickinson plan gives to the cooperatives themselves control of a marketing board that is designed to work with the Bureau of Agricultural Economics of the Department of Agriculture in furthering cooperation. This board would be made up of five members, consisting of the Secretary of Agriculture and four men nominated by the cooperatives. If Congress really wants to aid cooperation, this is the bill to put through.

The CHAIRMAN. The time of the gentleman has expired.

Mr. HAUGEN. Mr. Chairman, this is now Saturday night, and it is nearly 6 o'clock. I move that the committee do now rise.

The motion was agreed to.

Accordingly the committee rose; and the Speaker having resumed the chair, Mr. GREEN, Chairman of the Committee of the Whole House on the state of the Union, reported that that committee, having under consideration the bill (H. R. 12348) to create a Federal cooperative marketing board, to

provide for the registration of cooperative marketing, clearing house, and terminal market organizations, and for other purposes, had come to no resolution thereon.

WITHDRAWAL OF PAPERS

By unanimous consent, Mr. Hawley obtained leave to withdraw from the files of the House, without leaving copies, the papers in the case of Katherine Sparks, no adverse report having been made thereon.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota, from the Committee on Appropriations, submitted for printing under the rule a conference report on the bill (H. R. 12033) making appropriations for the government of the District of Columbia and other activities chargeable in whole or in part against the revenues of such District for the fiscal year ending June 30, 1926, and for other purposes.

DESIGNATION OF SPEAKER PRO TEMPORE ON SUNDAY

The SPEAKER. The Chair designates to preside to-morrow Mr. BARBOUR, of California.

HOUR OF MEETING ON WEDNESDAY NEXT—11 O'CLOCK

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns on next Tuesday evening it be to meet at 10.30 o'clock on Wednesday morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House adjourns next Tuesday evening it be to meet on Wednesday morning at 10.30 o'clock. Is there objection?

Mr. GARRETT of Tennessee. Reserving the right to object, Mr. Speaker, may I ask the gentleman from Ohio what business he expects will be in progress on that day?

Mr. LONGWORTH. It seems impossible to bring this cooperative marketing bill up for consideration until Wednesday. I hope it will be passed on Wednesday, and also other bills on Wednesday. If we are to pass this bill at this session, of course we will have to make an exception and not meet at 12 o'clock.

Mr. GARRETT of Tennessee. I will not object to 11 o'clock.

Mr. WEFALD. May I ask the distinguished floor leader why we can not have a session to-night? Something ought to be done on these farm measures.

Mr. LONGWORTH. Why is the gentleman opposing this bill?

Mr. WEFALD. Aha! [Laughter.] You give me a chance to get in.

Mr. LONGWORTH. The gentleman is trying to delay the passage of the bill. In conformity with the suggestion of the gentleman from Tennessee, I modify my request and ask unanimous consent that when the House adjourns Tuesday afternoon it adjourn to meet at 11 o'clock Wednesday morning.

Mr. HASTINGS. Do we understand that this particular bill will not be called up until Wednesday at 11 o'clock?

Mr. LONGWORTH. It is impossible to call it up before that time.

The SPEAKER. Is there objection to the request of the gentleman from Ohio?

There was no objection.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills of the following titles, when the Speaker signed the same:

H. R. 11737. An act authorizing preliminary examinations and surveys of sundry rivers with a view to the control of their floods;

H. R. 11703. An act granting the consent of Congress to G. B. Deane, of St. Charles, Ark., to construct, maintain, and operate a bridge across the White River, at or near the city of St. Charles, in the county of Arkansas, in the State of Arkansas;

H. R. 12064. An act to recognize and reward the accomplishment of the world flyers;

H. R. 11825. An act to extend the time for the construction of a bridge over the Ohio River near Steubenville, Ohio; and

H. R. 12101. An act making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes.

ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 5 o'clock and 40 minutes p. m.) the House, in accordance with its order previously made, adjourned to meet on Sunday, February 22, 1925, at 12 o'clock noon.

EXECUTIVE COMMUNICATIONS, ETC.

Under clause 2 of Rule XXIV, executive communications were taken from the Speaker's table and referred as follows:

895. A communication from the President of the United States, transmitting supplemental estimate of appropriation for the legislative establishment of the United States for the fiscal year 1925, in the sum of $7,637.17, for equipment, supplies, repairs, and personal services for the Senate kitchens and restaurants (H. Doc. No. 643); to the Committee on Appropriations and ordered to be printed.

896. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the Department of Commerce for the fiscal year ending June 30, 1925, to remain available until June 30, 1926, amounting to $173,117 (H. Doc. No. 644); to the Committee on Appropriations and ordered to be printed.

897. A communication from the President of the United States, transmitting a supplemental estimate of appropriation for the fiscal year ending June 30, 1926, for the Department of the Interior, amounting to $50,000 (H. Doc. No. 645); to the Committee on Appropriations and ordered to be printed.

898. A letter from the Secretary of War, transmitting, with a letter from the Chief of Engineers, reports on preliminary examination of Buffalo outer and inner harbor and Buffalo Creek, N. Y.; to the Committee on Rivers and Harbors.

899. A letter from the Assistant Secretary of Labor, transmitting a report that there is in the department an accumulation of miscellaneous material of the Bureau of Naturalization which will be of no further use in the transaction of official business; to the Committee on Disposition of Useless Executive Papers.

900. A letter from the chairman of the Interstate Commerce Commission, transmitting a report for the month of January, 1925, showing the condition of railroad equipment and the related information indicated in the resolution, so far as such information is available; to the Committee on Interstate and Foreign Commerce.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. FOSTER: Committee on the Judiciary. S. 3406. An act relating to the use or disposal of vessels or vehicles forfeited to the United States for violation of the customs laws or the national prohibition act, and for other purposes; without amendment (Rept. No. 1551). Referred to the Committee of the Whole House on the state of the Union.

Mr. TEMPLE: Committee on Foreign Affairs. H. J. Res. 365. A joint resolution to provide for the expenditure of certain funds received and to be received from the Persian Government for the education in the United States of Persian students; without amendment (Rept. No. 1552). Referred to the Committee of the Whole House on the state of the Union.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. H. R. 12247. A bill granting the consent of Congress to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge across the Arkansas River, at or near the city of Dardanelle, Yell County, Ark.; with amendments (Rept. No. 1553). Referred to the House Calendar.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. H. R. 12266. A bill granting the consent of Congress to authorize R. L. Gaster, his successors and assigns, to construct a bridge across the White River; with an amendment (Rept. No. 1554). Referred to the House Calendar.

Mr. PARKS of Arkansas: Committee on Interstate and Foreign Commerce. H. R. 12297. A bill granting the consent of Congress to the county of Jackson, Ark., to construct, maintain, and operate a bridge across the White River at or near the city of Newport, in the county of Jackson, in the State of Arkansas; without amendment (Rept. No. 1555). Referred to the House Calendar.

Mr. GILBERT: Committee on the District of Columbia. H. R. 12214. A bill to authorize the closing of a part of Thirty-fourth Place NW. and to change the permanent system of highways plan of the District of Columbia, and for other purposes; without amendment (Rept. No. 1556). Referred to the House Calendar.

Mr. RATHBONE: Committee on the District of Columbia. S. 4207. An act to provide for the regulation of motor-vehicle traffic in the District of Columbia, increase the number of judges of the police court, and for other purposes; without amendment (Rept. No. 1557). Referred to the Committee of the Whole House on the state of the Union.

Mr. NEWTON of Minnesota: Committee on Interstate and Foreign Commerce. H. R. 12264. A bill granting the consent of Congress to the State of Minnesota and the counties of Sherburne and Wright to construct a bridge across the Mississippi River; without amendment (Rept. No. 1558). Referred to the House Calendar.

Mr. LUCE: Committee on the Library. S. J. Res. 178. A joint resolution to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay; without amendment (Rept. No. 1559). Referred to the Committee of the Whole House on the state of the Union.

CHANGE OF REFERENCE

Under clause 2 of Rule XXII, the Committee on the Post Office and Post Roads was discharged from the consideration of the bill (H. R. 8692) for the relief of Harry Best, and the same was referred to the Committee on Claims.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SUTHERLAND: A bill (H. R. 12383) authorizing the Secretary of Commerce to explore the halibut banks of the North Pacific Ocean and Bering Sea; to the Committee on the Merchant Marine and Fisheries.

By the SPEAKER (by request): Memorial of the Legislature of the State of Oregon favoring legislation that will promote agriculture under the American protective system; to the Committee on Agriculture.

By Mr. HUDSON: Memorial of the Legislature of the State of Michigan urging that all Michigan veterans be hospitalized in Michigan hospitals and that the old United States Marine Hospital be sold and a suitable new hospital be erected in Wayne County; to the Committee on World War Veterans' Legislation.

By the SPEAKER (by request): Memorial of the Legislature of the State of Idaho favoring the speedy completion of the wagon road up the South Fork of the Clearwater River in Idaho County, Idaho, from Castle Creek to Elk City; to the Committee on Appropriations.

By Mr. SMITH: Memorial of the Legislature of the State of Idaho recommending the passage by Congress of legislation placing a duty of 3 cents per pound on peas; to the Committee on Ways and Means.

Also, memorial of the Legislature of the State of Idaho favoring speedy action by Congress on the Gooding bill; to the Committee on Interstate and Foreign Commerce.

Also, memorial of the Legislature of the State of Idaho urging the appropriation of sufficient amount to insure the speedy completion of the wagon road from Castle Creek to Elk City, Idaho; to the Committee on Appropriations.

Also, memorial of the Legislature of the State of Idaho, urging the enactment of legislation and the necessary appropriation to bring about an early development of the Umatilla Rapids project; to the Committee on Appropriations.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. SUTHERLAND: A bill (H. R. 12384) to extend the provisions of the act of Congress approved May 22, 1920, entitled "An act for the retirement of employees in the classified civil service, and for other purposes," to Lon Snepp; to the Committee on Claims.

By Mr. THOMPSON: A bill (H. R. 12385) granting an increase of pension to Mary E. Grubb; to the Committee on Invalid Pensions.

By Mr WYANT: A bill (H. R. 12386) granting an increase of pension to Mary Elizabeth McClain; to the Committee on Invalid Pensions.

PETITIONS, ETC.

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

3871. By Mr. BOYCE: Petition of Rowland G. Paynter and many other citizens of Georgetown, Del., for an appropriation for a post-office building at said town to meet the undisputed needs of said town and vicinity; to the Committee on the Post Office and Post Roads.

3872. By Mr. HUDSON: Petition of Pontiac Woman's Literary Club, of Pontiac, Mich., urging that the United States should participate in the World Court or the Permanent Court of International Justice; to the Committee on Foreign Affairs.

3873. By Mr. MAPES: Petition of the Pontiac (Mich.) Woman's Literary Club, advocating the participation of the Government of the United States in the World Court or the Permanent Court of International Justice on the basis of the Harding-Hughes reservations; to the Committee on Foreign Affairs.

3874. By Mr. NEWTON of Minnesota: Petition signed by sundry citizens of Minneapolis, in opposition to Senate bill 3218, providing a compusory Sunday observance bill, and protesting any legislation of this kind; to the Committee on the District of Columbia.

3875. By Mr. SMITH: Petition of sundry citizens of Boise, Idaho, against the enactment of legislation providing for compulsory Sunday observance; to the Committee on the Judiciary.

3876. By Mr. SWING: Petition of residents of National City and Chulsa Vista, Calif., protesting against compulsory Sunday observance laws; to the Committee on the District of Columbia.

HOUSE OF REPRESENTATIVES

SUNDAY, *February 22, 1925*

The House met at 12 o'clock noon, and was called to order by Mr. BARBOUR, Speaker pro tempore.

Rabbi Abram Simon offered the following prayer:

O Thou, our Heavenly Father, Thou who art our dwelling place, we come to Thee in this sacred and solemn hour. We would open our hearts that Thou mayest fill them with Thy love and Thy grace. We thank Thee, Father, for Thy many manifestations of bounty and of goodness, for that which is the highest gift of all, life, and of life full of love of life that may be consecrated to service.

We come to Thee, Father, in a moment that is inspired with tender recollections of one of Thy children, who sat in these halls, and whose grace of form, whose grace of speech, and whose grace of personality were lent to the dignity and to the honor of the country. We thank Thee for whatever influence JULIUS KAHN was able to render to his country. We feel that he was always in the line of duty, and upon the altar of his country placed the gift of a rich and endowed soul. We thank Thee for his leadership in the hour of danger, and for the numbers of men who rallied when the call went forth, who were ready to offer all of their best to the country.

We thank Thee, Father, that in this sacred hour we may rehearse the memory and the deeds of our friend, and feel that our life and our country are the better for whatever of service Thy servant was able to render.

But there comes to us, Father, something of a solace in the thought that the woman to whom JULIUS KAHN gave the wealth of his soul is to sit here, and that there will be "voice answering to voice"; that she will give an unique vitality to his message. Who can the better take the sting out of our loss than the wife herself whose very life and consecration to duty, will be the finest of all tributes to be paid to the memory of her husband.

And, Father, bless this hallowed hour so that the thought of Thy noble servant may stimulate us to a deeper earnestness to our country. Take into Thy fatherly care the President of our country, his Cabinet, and Congress, and all those who are charged with high and solemn duties for our peace and progress.

The reading of the proceedings of the Journal of yesterday was deferred until to-morrow.

THE LATE REPRESENTATIVE JULIUS KAHN

The SPEAKER pro tempore. The Clerk will read the order for the day.

The Clerk read as follows:

On motion of Mr. BARBOUR, by unanimous consent—

Ordered, That Sunday, February 22, 1925, be set apart for memorial addresses on the life, character, and public services of the Hon. JULIUS KAHN, late a Representative from the State of California.

Mr. SWING. Mr. Speaker, I present the following resolutions.

The Clerk read as follows:

House Resolution 452

Resolved, That the business of the House be now suspended that opportunity may be given for tributes to the memory of Hon. JULIUS KAHN, late a Member of this House from the State of California.