By Mr. SMITH: Memorial of the Legislature of the State of Idaho, urging enactment of legislation licensing commission merchants and brokers to give a bond for the faithful discharge of their contracts; to the Committee on Agriculture.

PRIVATE BILLS AND RESOLUTIONS

Under clause 1 of Rule XXII,

By Mr. JOHNSON of Washington: A bill (H. R. 12441) granting a pension to Hilaire Nallette; 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:

3924. By Mr. FUNK: Petition of citizens of Livingston County, Ill., protesting against the Sunday observance bill (S. 3218) and all other similar legislation; to the Committee on the District of Columbia.

3925. By Mr. MEAD: Petition of National Retail Dry Goods Association, opposing the enactment into law of House bill 10351, the purpose of which is to grant copyright registration for designs, and favoring a readjustment of pay of postal employees; to the Committees on Patents and the Post Office and Post Roads.

3926. By Mr. WATSON: Petition of citizens of Harrisburg, Pa., favoring the participation of the United States in the World Court on the Harding-Hughes terms; to the Committee on Foreign Affairs.

3927. By Mr. WEFALD: Petition of 40 citizens of Vining, Minn., that Congress do not concur in the passage of the compulsory Sunday observance bill (S. 3218) nor in the passage of any other religious legislation which may be pending; to the Committee on the District of Columbia.

3928. Also, petition of 20 citizens of Local and Detroit, Minn., that Congress do not concur in the passage of the compulsory Sunday observance bill (S. 3218) nor in the passage of any other religious legislation which may be pending; to the Committee on the District of Columbia.

3929. By Mr. WILLIAMS of Michigan: Petition of Mrs. George W. Shields and 41 other residents of Hillsdale County, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

3930. Also, petition of Mrs. O. F. Gaylord and 16 other residents of Battle Creek, Mich., protesting against the passage of Senate bill 3218, the Sunday observance bill, so called; to the Committee on the District of Columbia.

SENATE

SATURDAY, *February 28, 1925*

(Legislative day of Thursday, February 26, 1925)

The Senate met at 11 o'clock a. m., on the expiration of the recess.

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, with an amendment, in which it requested the concurrence of the Senate.

The message also announced that the House had passed the following bill and joint resolution of the Senate, each with amendments, in which it requested the concurrence of the Senate:

S. 1707. An act appropriating money to purchase lands for the Clallam Tribe of Indians in the State of Washington, and for other purposes; and

S. J. Res. 124. Joint resolution to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers.

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

H. R. 11701. An act to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887;

H. R. 11752. An act to provide for extension of payment on homestead entries on ceded lands of the Fort Peck Indian Reservation, State of Montana, and for other purposes;

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande;

H. R. 12029. An act for the relief of sufferers from the fire at New Bern, N. C., in December, 1922;

H. R. 12030. An act for the relief of sufferers from cyclone in northwestern Mississippi in March, 1923;

H. R. 12261. An act authorizing the appropriation of $5,000 for the erection of tablets or other form of memorials in the city of Quincy, Mass., in memory of John Adams and John Quincy Adams; and

H. J. Res. 348. Joint resolution authorizing the Secretary of Agriculture to award suitable medals to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill., held in December, 1924.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and a joint resolution were severally read twice by title and referred as indicated below:

H. R. 11752. An act to provide for extension of payment on homestead entries on ceded lands of the Fort Peck Indian Reservation, State of Montana, and for other purposes; to the Committee on Indian Affairs.

H. R. 11818. An act granting the consent of Congress to the construction of a bridge across the Rio Grande; to the Committee on Commerce.

H. R. 12029. An act for the relief of sufferers from the fire at New Bern, N. C., in December, 1922; and

H. R. 12030. An act for the relief of sufferers from cyclone in northwestern Mississippi in March, 1923; to the Committee on Military Affairs.

H. R. 12261. An act authorizing the appropriation of $5,000 for the erection of tablets or other form of memorials in the city of Quincy, Mass., in memory of John Adams and John Quincy Adams; to the Committee on the Library.

H. J. Res. 348. Joint resolution authorizing the Secretary of Agriculture to award suitable medals to exhibitors winning first and championship prizes at the twenty-fifth anniversary show of the International Livestock Exposition of Chicago, Ill., held in December, 1924; to the Committee on Agriculture and Forestry.

TWO HUNDREDTH ANNIVERSARY OF THE BIRTH OF GEORGE WASHINGTON (S. DOC. NO. 225)

The PRESIDENT pro tempore laid before the Senate a communication from the President of the United States, transmitting a supplemental estimate of appropriations for the United States Commission for the Celebration of the Two hundredth Anniversary of the Birth of George Washington, fiscal year 1925, to remain available until expended, $10,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

BUREAU OF FOREIGN AND DOMESTIC COMMERCE (S. DOC. NO. 224)

The PRESIDENT pro tempore also laid before the Senate a communication from the President of the United States, transmitting a draft of proposed legislation affecting the appropriations for the Bureau of Foreign and Domestic Commerce, Department of Commerce, fiscal year 1926, relative to the rental of offices in foreign countries by that bureau, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

JOHN F. DUNPHY, OWNER OF STEAMSHIP "MARGARET J. SANFORD" AGAINST THE UNITED STATES (S. DOC. NO. 222)

The PRESIDENT pro tempore also laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a record of judgment rendered against the United States by the United States District Court for the Southern District of New York, under the provisions of law, and requiring an appropriation for its payment under the War Department: Case of John F. Dunphy as managing owner of the steamship *Margaret J. Sanford* against the United States, in amount, $2,000, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

OWNERS OF THE BARGE "HAVANA" AGAINST THE UNITED STATES (S. DOC. NO. 223)

The PRESIDENT pro tempore also laid before the Senate a communication from the President of the United States, transmitting, pursuant to law, a record of judgment rendered against the Government by the United States District Court

AUTHENTICATED U.S. GOVERNMENT INFORMATION GPO

for the District of Massachusetts, under the provisions of law, final decree rendered by the United States District Court of Massachusetts in favor of the Staples Transportation Co., in amount $5,250, costs $40.30, in total amount $5,290.30, which, with the accompanying papers, was referred to the Committee on Appropriations and ordered to be printed.

PETITIONS AND MEMORIALS

The PRESIDENT pro tempore laid before the Senate a concurrent resolution of the Legislature of the State of Iowa, relative to agricultural legislation, which was referred to the Committee on Agriculture and Forestry, as follows:

STATE OF IOWA HOUSE OF REPRESENTATIVES,
Des Moines, February 24, 1925.

Hon. A. B. CUMMINS,
President of the Senate, Washington, D. C.

MY DEAR MR. PRESIDENT: I have the honor to inclose herewith a certified copy of house concurrent resolution No. 11.

Respectfully submitted,

A. C. GUSTAFSON.

Concurrent resolution 11, by committee of agriculture of the House of Representatives, Forty-first General Assembly, State of Iowa.

Believing that some relief for agriculture in the very near future is absolutely necessary, and that Congress should, without further delay, take some cognizance of the situation of agriculture in the middle West, and that failure to pass legislation relative thereto by the present Congress will be greatly to the detriment of agriculture; therefore:

Be it resolved by the house of representatives (the senate concurring), That we most earnestly urge upon the present Congress the prompt passage of the bill now in the United States Senate creating an export corporation for the purpose of purchasing and diverting surplus farm commodities in the United States.

That a copy of this resolution be forwarded to the President of the Senate and the Speaker of the House of Representatives of the United States and to each of the United States Senators and each Member of Congress from Iowa.

I hereby certify that this is a true and correct copy of house concurrent resolution No. 11 adopted by the Forty-first General Assembly of the State of Iowa.

A. C. GUSTAFSON,
Chief Clerk of the House.

The PRESIDENT pro tempore also laid before the Senate a resolution adopted by the Senate of the State of Michigan, respecting the national defense act, which was referred to the Committee on Military Affairs, as follows:

MICHIGAN STATE SENATE,
Lansing, February 23, 1925.

PRESIDENT OF THE SENATE,
Washington, D. C.

SIR: I have the honor to inform you that the Michigan State Senate has this day adopted the following resolution:

"Whereas the President of the United States in a recent message to the Congress of the United States has stated that the Army and Navy of the United States should be strengthened, and that a people who neglect their national defense are putting in jeopardy their national honor; and

"Whereas in furtherance of the national defense act of 1920 and in order to increase and promote the strength and effectiveness of the Army the Chief of Staff of the Army of the United States has recommended substantially as follows:

"(a) That the Regular Army be brought back to the strength of 150,000 enlisted men and 13,000 officers, and that it be suitably housed and enabled to conduct annual maneuvers on a moderate scale;

"(b) That the National Guard be given the support necessary to permit its progressive development toward a strength of 250,000;

"(c) That the skeleton organization of the Organized Reserves be adequately maintained;

"(d) That all reserve officers receive an average of 15 days training in each three years;

"(e) That the Reserve Officers' Training Corps units be further developed; and

"(f) That provision may be made for a gradual increase in the number accommodated annually in citizens' military training camps: Therefore be it

"*Resolved by the Michigan State Senate of the State of Michigan in session assembled*, Respectfully and earnestly urge upon Congress the necessity of appropriating such funds and enacting such legislation as will adequately provide for the effective carrying out of the provisions of the national defense act of 1920 and also the recommendations of the Chief of Staff of the Army of the United States hereinbefore set forth.

"Suitable copies of the resolution shall be sent by the secretary of the senate to the President of the United States, the presiding officers of both branches of Congress, to the Senators and Representatives from this State, and to the congressional Committee on Appropriations and on Military Affairs."

Very truly yours,

DENNIS E. ALWARD,
Secretary Michigan State Senate.

The PRESIDENT pro tempore also laid before the Senate a joint resolution adopted by the Legislature of the State of Vermont relative to the rejection of the so-called proposed child labor amendment to the Constitution, which was referred to the Committee on the Judiciary, as follows:

STATE OF VERMONT,
SECRETARY OF STATE,
Montpelier, February 26, 1925.

To the honorable PRESIDENT SENATE OF THE UNITED STATES,
Washington, D. C.

SIR: I have the honor to herewith submit a certified copy of joint resolution adopted by the General Assembly of the State of Vermont, entitled "Joint resolution relating to the rejection by the State of Vermont of the child labor amendment."

I would respectfully ask that the resolution referred to be transmitted to the legislative body over which you have the honor to preside.

Respectfully yours,

AARON H. GROUT,
Secretary of State.

Whereas the Sixty-eighth Congress of the United States, by joint resolution duly passed, has proposed to amend the Constitution of the United States in the words following:

"ARTICLE —

"SECTION 1. The Congress shall have power to limit, regulate, and prohibit the labor of persons under 18 years of age.

"SEC. 2. The power of the several States is unimpaired by this article except that the operation of State laws shall be suspended to the extent necessary to give effect to legislation enacted by the Congress."

Resolved by the senate and house of representatives, That the Legislature of the State of Vermont hereby rejects said proposed amendment to the Constitution of the United States, because the said proposed amendment tends to contravene the Fifth Article of the Constitution of Vermont, as follows:

"ART. V. That the people of this State, by their legal representatives, have the sole, inherent, and exclusive right of governing and regulating the internal policy of the same." And be it further

Resolved, That the representatives of the State of Vermont of this general assembly do hereby reiterate the right of the State as set forth above, and confidently rely on Article X of the Constitution of the United States as a just cause for rejecting the aforesaid amendment.

"ART. X. The powers not delegated to the United States by the Constitution nor prohibited by it to the States are reserved to the States respectively, or to the people."

Believing, therefore, that the proposed amendment would tend to invade and vitiate the rights of the State of Vermont, as set forth in the foregoing articles, we hereby formally refuse to ratify, and do hereby reject the same; and be it further

Resolved, That the secretary of state be, and hereby is, directed to communicate to the Secretary of State of the United States, to the Presiding Officer of the United States Senate, and to the Speaker of the House of Representatives of the United States a certified copy of this resolution.

ROSWELL M. AUSTIN,
Speaker of the House of Representatives.
W. K. FARNSWORTH,
President of the Senate.

STATE OF VERMONT,
OFFICE OF SECRETARY OF STATE.

I hereby certify that the foregoing is a true copy of a joint resolution (House No. 15) entitled "Joint resolution relating to the rejection by the State of Vermont of the child labor amendment."

In testimony whereof, I have hereunto set my hand and affixed my official seal, at Montpelier, this 26th day of February, A. D. 1925.

[SEAL] AARON H. GROUT, *Secretary of State.*

Mr. CAMERON presented the following concurrent memorial of the Legislature of the State of Arizona, which was referred to the Committee on Agriculture and Forestry:

STATE OF ARIZONA,
OFFICE OF THE SECRETARY.

UNITED STATES OF AMERICA,
State of Arkansas, ss:

I, James H. Kerbey, secretary of state, do hereby certify that the within is a true and correct copy of Senate Concurrent Memorial No. 2 of the Seventh Legislature, State of Arizona, 1925, regular session,

"memorializing the Congress of the United States of America to enact legislation for the relief of the stock raisers grazing and ranging livestock on the United States National Forest, as follows: For the immediate relief, waive the grazing fees for the season from April 1, 1925, to March 31, 1926, and for more permanent relief pass the Phipps bill, No. 2424, now pending before the Senate of the United States," all of which is shown by the original on file in this department.

In witness whereof I have hereunto set my hand and affixed my official seal. Done at Phoenix, the capital, this 19th day of February, A. D. 1925.

[SEAL.]

JAMES H. KERBY,
Secretary of State.

Senate concurrent memorial 2 (introduced by Senator A. H. Favour)

To the Senate and House of Representatives of the United States of America in Congress assembled:

Your memorialist, the Seventh Legislature of the State of Arizona, in its regular session assembled, respectfully represents that:

The men engaged in the livestock business in Arizona for the past three years have been going through one of the most trying times in the history of the industry, and as a class have been brought to the verge of bankruptcy through deflation, unfavorable economic conditions, and inability to market their output except at a price less than cost.

That, added to the foregoing, during the year 1924 there has been in the southwest an unprecedented drought, and this has resulted and will continue to result in a substantial loss to the breeding herds of the stock raisers, with the definite outlook of a very much lessened income for the year 1925 to these stock raisers.

That a large number of stock raisers range their stock on the various forest reserves of the United States in the State of Arizona at a fixed annual rental per head, and these fees are payable to the United States Government at the beginning of the grazing season on April 1 of each year. These grazing fees are a first and paramount charge, and unless paid the stock raisers are put in trespass and forced to remove their herds from the forest reserves.

Your memorialist further represents that during the year 1924 a substantial number of the stock raisers have not been able to pay the forest fees, and where they have been paid such fees have been paid, in most cases, with borrowed money. On account of the present financial condition of the livestock industry even borrowed money is not available for the coming year to meet these forest requirements. The stock raisers of this State must be assisted if they are to continue in their stock-raising industry, and one definite way is to assist those on the forest in the payment of forest fees.

Wherefore your memorialist prays that the Congress of the United States of America enact legislation for the relief of the stock raisers grazing and ranging livestock on the United States National Forest, as follows: For the immediate relief, waive the grazing fees for the season from April 1, 1925, to March 31, 1926, and for more permanent relief pass the Phipps bill, No. 2424, now pending before the Senate of the United States; It is hereby

Ordered, That his excellency the Governor of the State of Arizona be requested to transmit a copy of the foregoing to the President of the United States and to each House of Congress and to each of Arizona's Senators and her Representative in Congress.

Passed the senate February 2, 1925.

Passed the house February 10, 1925.

Approved February 17, 1925.

Filed by the secretary of state February 17, 1925, at 3.30 o'clock p. m.

Mr. FRAZIER presented resolutions of the Book and Thimble Club, of Williston, and of the Fortnightly Club, of Wahpeton, both in the State of North Dakota, favoring the adherence of the United States to the World Court under the terms of the so-called Harding-Hughes plan, which were referred to the Committee on Foreign Relations.

Mr. KENDRICK. I present for proper disposition a petition numerously signed by citizens of Thermopolis, Wyo., praying for the repeal of the Volstead prohibition act.

The petition was ordered to lie on the table.

SECOND DEFICIENCY APPROPRIATIONS

Mr. WARREN. I report back with amendments from the Committee on Appropriations the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, and I submit a report (No. 1244) thereon. I wish to give notice that I shall ask the Senate later in the day to take up the bill and put it on its passage.

The PRESIDENT pro tempore. Meanwhile the bill will be placed on the calendar.

REPORTS OF COMMITTEES

Mr. BALL, from the Committee on the District of Columbia, to which was referred the bill (H. R. 596) to provide for the extension of Bancroft Place between Phelps Place and Twenty-third Street NW., and for other purposes, reported it without amendment and submitted a report (No. 1247) thereon.

He also, from the same committee, to which was referred the bill (H. R. 5327) to provide for the payment to the retired members of the police and fire departments of the District of Columbia the balance of retirement pay past due to them but unpaid from January 1, 1911, to July 30, 1915, reported it without amendment and submitted a report (No. 1248) thereon.

Mr. LADD, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 1579) authorizing the disposition of certain lands in Minnesota, reported it without amendment and submitted a report (No. 1249) thereon.

He also, from the Committee on Commerce, to which was referred the bill (H. R. 11702) granting the consent of Congress to the village of Spooner, Minn., to construct a bridge across the Rainy River, reported it without amendment and submitted a report (No. 1250) thereon.

Mr. CAMERON, from the Committee on Public Lands and Surveys, to which was referred the bill (H. R. 3618) for the relief of Nora B. Sherrier Johnson, reported it without amendment and submitted a report (No. 1251) thereon.

He also, from the same committee, to which was referred the resolution (S. Res. 347) to investigate all matters relating to national forests and the public domain and their administration, reported favorably thereon with an amendment.

Mr. METCALF, from the Committee on Naval Affairs, to which was referred the bill (H. R. 6723) to provide for reimbursement of certain civilian employees at the naval torpedo station, Newport, R. I., for the value of personal effects lost, damaged, or destroyed by fire, reported it without amendment and submitted a report (No. 1252) thereon.

ENROLLED BILLS AND JOINT RESOLUTION PRESENTED

Mr. WATSON, from the Committee on Enrolled Bills, reported that on February 27, 1925, that committee presented to the President of the United States enrolled bills and a joint resolution of the following titles:

S. 970. An act for the relief of the De Kimpke Construction Co., of West Hoboken, N. J.;

S. 1016. An act for the relief of Augusta Reiter;

S. 1633. An act for the relief of James F. Jenkins;

S. 1763. An act to validate certain payments made to George M. Apple and to authorize the General Accounting Office to allow credit to certain disbursing officers for payments of salaries made on properly certified and approved vouchers;

S. 2714. An act for the relief of John F. Malley;

S. 2774. An act for the relief of G. Ferlita;

S. 2793. An act for relief of estate of Annie C. Shyner;

S. 2992. An act for the relief of the Berwind-White Coal Mining Co.;

S. 3379. An act providing for the sale and disposal of public lands within the area heretofore surveyed as Boulder Lake, in the State of Wisconsin;

S. 3760. An act to amend in certain particulars the national defense act of June 3, 1916, as amended, and for other purposes; and

S. J. Res. 125. Joint resolution granting permission to Fred F. Rogers, commander, United States Navy, to accept certain decorations bestowed upon him by the Venezuelan Government.

BILLS INTRODUCED

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

By Mr. WATSON:

A bill (S. 4394) for the improvement of Indiana Harbor, Ind.; to the Committee on Commerce.

By Mr. JOHNSON of Minnesota:

A bill (S. 4395) to promote and preserve the navigability of Cass Lake in the State of Minnesota; to the Committee on Agriculture and Forestry.

By Mr. SHIPSTEAD:

A bill (S. 4396) to extend the time for the commencement and completion of the bridge of the county of Norman and the town and village of Halstad, in said county, in the State of Minnesota, and the county of Traill and the town of Herberg, in said county, in the State of North Dakota, across the Red River of the North on the boundary line between said States; to the Committee on Commerce.

By Mr. BURSUM:

A bill (S. 4397) to permit the use for any charitable, educational, or hospital purpose, of certain lands granted to the city of Albuquerque, N. Mex.; to the Committee on Public Lands and Surveys.

By Mr. FRAZIER:

A bill (S. 4398) to create a Federal agricultural marketing board, to prescribe its duties and define its powers, and for other purposes; to the Committee on Agriculture and Forestry.

By Mr. WHEELER:

A bill (S. 4400) to appropriate certain tribal funds for the benefit of the Indians of the Fort Peck and Blackfeet Reservations; to the Committee on Indian Affairs.

BUREAU OF COMMERCIAL ECONOMICS

Mr. OWEN. Mr. President, I introduce a bill to grant a charter to the Bureau of Commercial Economics, whose headquarters are at 1108 Sixteenth Street NW., Washington, D. C., with connections throughout the world, which I ask to be read by title.

The bill (S. 4399) to incorporate the Bureau of Commercial Economics, and for other purposes, was read twice by title.

Mr. OWEN. This is a reintroduction of S. 4633, of the Sixty-seventh Congress, introduced too late for action at that Congress. At different times I have called the attention of the Senate to this great work and its possibilities. Never until now have I had such a wealth of details of its operations and its power to achieve good in public service by the use of motion-picture films of an educational nature, of the screen press to promote commerce, trade, agriculture, public welfare, and health in America and abroad.

INTERNATIONAL RELATIONS

The international relations of these United States should be and are the deep concern not only of the Federal Government but of all business organizations and individuals that compose our great Nation. International relations consist of offensive and defensive and economic treaties, consummated between authorities so empowered by the people. Far more vitally do they consist in the commerce of ideals, intellectual thought, business and social relations. It is to these great forces that we must look for the foundation and maintenance of mutual understanding, sympathy, and progress.

Obviously the most efficient method of bringing about such interchange of ideas, of presenting the ideals of the American people, their environment, their business methods to the world is through the use of the motion picture. Radio in this connection is interesting and important, but until we have a universal language or reduce our thought to "songs without words" its field is limited to those understanding the language of the speaker.

WORLD SCOPE OF THE BUREAU OF COMMERCIAL ECONOMICS

The Bureau of Commercial Economics is accomplishing one of the most valuable contributions to humanity of our time in disseminating American ideals and ideas in even the most remote parts of the world, in elevating the intelligence of our American people by the exhibition of foreign educational films in this country, and in drawing together the nations of the world in a close bond of mutual constructive cooperation.

As you recall, this bureau sends educational films of American business, of American scenery, of American science, of American welfare work, to the regularly constituted governments of the various nations or their learned societies or business organizations, who in turn send these films, with the titles in English, throughout the scientific societies, business clubs, factories, all the way down to the primary schools. The films are understood in Iceland or Java, where they have actually been shown, because the human eye of the most illiterate onlooker sees on the screen the same image that the most learned Senator would see there, no matter if the titles were in Sanskrit. The films are free to those that show them and those that see.

Quietly and unostentatiously this bureau has brought new light to millions of people scattered all over the earth. In the more remote points of the earth the bureau's films were the first ever to be seen. For 12 years it has used the international gift of sight to place new visions of opportunity and ideals before all the people.

What a challenge to the imagination!

ITS WORK IN THE UNITED STATES

The Bureau of Commercial Economics, as you will recall, does not limit its efforts to the dissemination of American ideals abroad. Its work is truly international. It receives from those governments and organizations to whom it sends American films the educational, scientific, scenic, and industrial films of those countries and circulates them, also free, to every type of educational, scientific, religious, or social organization or gathering equipped with the necessary projection apparatus. In the great cities and humblest hamlets of each Senator's State this work of visual instruction by this bureau is being carried on without cost to the taxpayers of the Nation. It has many millions of feet of film of instructional value. Too often we think of educational films as of value in the schoolroom only. The films of the Bureau of Commercial Economics are used before chambers of commerce, churches, universities, in the factories at noontime, by social, sporting, and business clubs, as well as in the schools and community centers.

THE PAN PACIFIC FIELD

Only recently the Bureau of Commercial Economics has been asked to organize all the nations bordering on the Pacific Ocean into an international association for the purpose of exchanging educational motion pictures of all member nations with each other. Films that depict national life, business, environment, sanitation, welfare work, pass from nation to nation like spokes of a wheel, with the Bureau of Commercial Economics as the hub.

ORGANIZATION OF THE BUREAU OF COMMERCIAL ECONOMICS

The Bureau of Commercial Economics is not a governmental bureau. It is an altruistic association using the facilities and instrumentalities of Government, business, and educational institutions in the dissemination of useful information by the graphic method of motion pictures, by lecturers, and publications. Its films and lectures are displayed to audiences admitted free.

Speakers of international reputation have been sent by this bureau throughout the land in connection with President Coolidge's national outdoor recreation conference to urge our people to take a greater interest and part in outdoor life, and films of fishing, hunting, swimming, playgrounds, have been used to help build our Nation's health.

Many of my distinguished colleagues both in the Senate and the House are familiar with the organization and functioning of this bureau and have heartily indorsed it. The late President Harding was one of its most sincere admirers. It has the hearty cooperation of the United States Chamber of Commerce, the International Rotary Clubs, the International Kiwanis Clubs, the American Association of Engineers, the learned and religious societies of America and abroad, and the admiration and cooperation of many foreign governments.

This altruistic organization, conceived and founded by the late Francis Holley and Anita Maris Boggs, now carried on by Miss Boggs and her brother, Randolph M. Boggs, is supported entirely by memberships and voluntary contributions and the self-sacrificing efforts of its officers. For more than 12 years this work has been carried on quietly, effectively.

The conception, the scope, the influence of the Bureau of Commercial Economics are almost beyond imagination of the ordinary mind. Its vision, its efforts, its results are world-wide, but it is first and last American. Its foreign films shown in the United States, its American films shown abroad, arouse in the minds of the beholder a quickened action, a comparison with his own surroundings, his methods of work and life. He thinks, he compares, he judges. He is not only more intelligent for seeing the films, he is a greater national asset—a man with a more intelligent mind.

The Bureau of Commercial Economics deserves the thanks of Congress and of all the American people for its great, constructive, humanitarian work, and to this end I ask the recognition of Congress in a Federal incorporation.

I move that the bill be referred to the Committee on the Judiciary.

The motion was agreed to.

TRUST FUND FOR KIOWA, COMANCHE, AND APACHE INDIANS, OKLAHOMA

Mr. OWEN submitted an amendment intended to be proposed by him to the bill (H. R. 11752) to provide for extension of payment on homestead entries on ceded lands of the Fort Peck Indian Reservation, State of Montana, and for other purposes, which was referred to the Committee on Indian Affairs and ordered to be printed.

JOSEPH P. CHAMBERLAIN ET AL.

Mr. PEPPER submitted the following resolution (S. Res. 350), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That the Secretary of the Senate is hereby authorized and directed to pay out of the contingent fund of the Senate to Joseph P. Chamberlain, William E. Mikell, and Noel T. Dowling $250 each, the same being the Senate's half of the amount due said persons for services rendered and expenses incurred in preparation of data for use of the Committees of the House of Representatives and Senate on Revision of Laws, from January 1, 1925, to February 28, 1925.

COOPERATIVE ASSOCIATIONS

Mr. SHIPSTEAD submitted the following resolution (S. Res. 351), which was referred to the Committee on Agriculture and Forestry:

Whereas the successful development of cooperative organizations in production, distribution, and consumption affords needed opportunities for increasing the income of the producer, especially the farmer, and for diminishing the cost of living of the consumer, and appears to be of great public benefit, as shown by the experiences of numerous foreign countries; and

Whereas the President's agricultural conference recommends constructive Federal assistance in the development of producers' marketing organizations; and

Whereas complete and conclusive information with respect to the economic advantages or disadvantages of the cooperative movement in this country as compared with other types of marketing farm products, has not been made available in comprehensive form; and

Whereas it is frequently charged that various cooperative organizations of farmers engaged in marketing grain, tobacco, cotton, livestock, and other products, as well as consumers' cooperative purchasing organizations, are being discriminated against and injured by various corporations and trade associations in alleged violation of the antitrust laws: Now, therefore, be it

Resolved, That the Federal Trade Commission is hereby directed to make an inquiry (1) into the growth and importance of cooperative associations, including particularly the costs of marketing and distribution of such cooperatives as compared with the corresponding costs of other types of distributors, and (2) into the extent and importance of the interferences with and obstructions to the formation and operation of cooperative organizers of producers, distributors, and consumers, by any corporation or trade association in alleged violation of the antitrust laws, and to report thereon with recommendations for legislation, or other remedial action if the same appears necessary.

RIVER AND HARBOR BILL

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes, the pending question being on the amendment proposed by Mr. GOODING to the amendment submitted by Mr. FERNALD.

The PRESIDENT pro tempore. The Senator from Maine [Mr. FERNALD] is entitled to the floor.

Mr. FERNALD. Mr. President, at the conclusion of the consideration of the pending river and harbor bill on yesterday afternoon, I was discussing some of the details of the development of the Cape Cod Canal Co., the purpose of the amendment proposed by me, the chronological history in a very brief way, the development, the franchise and charter, the commercial results up to the time the canal was taken over by the Government, the cost of the canal, and some of the details respecting it. As I stated yesterday, I do not wish to jeopardize the enactment of the river and harbor bill, and I conclude that these details are not of special interest to the Senate. If we were to discuss the details of all the development and various changes in bringing the project to a consummation, it would take a much longer time than we have at our disposal between now and the 4th day of March. In fact, I do not consider it of very great importance to discuss the details. They have all been considered by a properly authorized agency of the Government. If we were to undertake on the floor to discuss and debate the details of the different projects that go to the different departments of the Government, the Senate and the Congress of the United States would not get very far in legislating. We are obliged to leave these matters, oftentimes by authorization, to the President of the United States, knowing full well that he has some authority to authorize some one in a department, some officer of the Government, to investigate the details and bring to the consideration of the Congress all the different matters in the proper way. So I wish to be as brief as possible, and if not interrupted it will take me but a very short time to conclude all that I have to say regarding that great project.

I would like to discuss all of the details if it were at an earlier time in the session, because there is nothing wrong so far as the canal is concerned in the building of that great project. I want to make a few broad general statements. First of all, I consider it of very little consequence as to the details of the canal company, how they were able to get their money, how they were able to secure their charter from the State of Massachusetts, how they went into litigation at an expense of $750,000 to defend their rights in the proper courts, and the expense of the Government of the United States in carrying on that litigation. Those details are of little consequence, in my judgment, to Senators in the consideration of this matter.

I felt deeply interested yesterday in listening to the splendid speech of the Senator from Missouri [Mr. REED] when he was depicting the development of the great valley of the Mississippi and the development of the waterways of the country and what it has meant to the people of the country. I shall not designate any particular people, although we often speak of these projects of great assistance and aid to the farming communities. In fact, it is quite a common custom when we have a proposition before the Senate to speak of it as a great agricultural development and of the assistance to the farmers of the country that may be brought about by the different projects.

Although it is very doubtful if much farm legislation, so-called, can be brought to the attention of the Senate at this session, I want to say right now that the policy of development of the waterways of the country is of more interest to the farmers of the country than any proposition that is likely ever to be brought to the attention of the Senate. If Senators would go with me to the States of Missouri, Kansas, Nebraska, or any other agricultural State and ask 100 farmers what would give them the greatest relief of anything that could be done, 99 out of 100 from any State in the Union would say at once that there is nothing that would be of so much assistance as the lowering of freight rates. The lowering of freight rates can not be brought about by any fictitious method, but it can surely be done, as it always has been done, through the development of the waterways of our country so that we may have vessels plying back and forth on our rivers and canals, free and without toll.

The development of our waterways has been an established policy of the Government over a long period of time. We began years and years ago to develop the rivers of the country, and every dollar that has been expended along those lines has been money well spent. Sitting, as I have, on the Commerce Committee of the Senate for eight years, watching and considering with gratified pride all of the projects that have been brought before that committee and the legislation that has been enacted in the Congress to develop the canals and waterways, I can not look back to a single proposition where I regret my action. I have always had at heart the interests not only of New England and my own State but of the whole country in considering these matters. I have been just as anxious to develop the waterways of the South and make our intercoastal system from New York through to the Gulf of Mexico a success as I have been to advance the interests and develop the waterways of my own section of the country. While in my own State we have three large rivers, yet they are rivers of torrents flowing from the mountains to the sea, and sails can not be seen far up those streams from the coast.

I desire to repeat in the presence of the Senator from Missouri [Mr. REED], who has just entered the Chamber, that if I had been a member of the same church as he and in the same class meeting I would have been glad to say "Amen" to all he had to say about the development of the great waterway system in the Mississippi Valley.

Mr. REED of Missouri. Mr. President, if the Senator from Maine had been a member of my church and had said "Amen" in good faith, he would have been guaranteed salvation.

Mr. FERNALD. I am quite satisfied that that is true. Although we may not be members of the same church, yet I am inclined to think we are very nearly so. We do agree on very many things in this body.

I have watched with gratifying pride the development of the waterways of the great Mississippi Valley. I have noted the splendid agricultural opportunities and prospects of the valley. For 25 years my business carried me into every one of those States. I recall now the gorgeous days in the years 1905 and 1906 when I passed through the State of Nebraska and down through Kansas and saw those great fields of golden wheat bowing and bending beneath the amorous rays of the autumn sun. I saw great shocks of corn bursting forth in glory, and yet in less than two months from that day I saw Argentine corn unloaded at my stables in Poland, Me. I asked the reason for this, because at the very time when that corn was being delivered in Maine from Argentina, the farmers of Kansas were burning their corn for fuel. What was the reason for this? It was the very reason the Senator from Missouri spoke of yesterday, a lack of development of the waterways of our country. Corn from Argentina could be delivered in 1910 for 11 cents a bushel less than corn from central Kansas, an amazing statement, and yet the distance from Argentina and Buenos Aires to New York is 7,330 miles, while the distance from Kansas City is but 1,500 miles. Why

is the difference? What is the cause of this great difference? The citizens of Kansas had to move their corn 800 miles by rail. The citizens of Argentina moved their corn an average of less than 140 miles by rail.

The development already taking place on the Missouri River, the great Federal barge system that is moving from St. Louis and Cairo down to New Orleans, as the Senator from Missouri stated yesterday, has already reduced the freight rates on all goods moving between those points to the extent of 5½ cents per hundred pounds. Wherever there is a development of the waterways immediately there is a reduction in freight rates.

Stranger still, let me say that wheat moving from central Kansas to London and Liverpool, which is the wheat market of the world, costs more to deliver than wheat moving from Melbourne or Sidney to Liverpool.

In 1910 we began to agitate the proposition of the development of the Missouri River. This was 14 years ago, and in that 14 years the State of Kansas alone has raised 1,400,000,000 bushels of wheat. If the freight charges could have been reduced as they have been since by the Federal barge system on the Mississippi River, that would have meant to the State of Kansas alone more than $40,000,000 saving in freight rates. The development of that system would have cost the country but $20,000,000. So, as the Senator from Missouri said yesterday so much better than I can express it, we ought not to delay to begin the development of the great waterway systems of the country.

France, Belgium, Holland, and Germany before the war, had developed their waterway systems to the extent of having 22,000 miles of canal and river development. The United States of America has developed only about 2,000 miles. We have 28,800 miles of navigable streams if they were developed in this country, and yet we have developed less than 2,000 miles, while these small countries, with one-tenth the area of the United States with a population of 119,000,000 people, have developed 22,000 miles of waterway systems that are not only navigable but are actually in use for navigation.

So, my friends, if any legislation can be enacted by this body which will be of interest and aid and assistance to the farmers there is nothing that will do more than the development of our great waterway systems of the country.

Senators, let me say to you that I am so much interested in the passage of the river and harbor bill, and I have been for the eight years during which I have been a member of the Committee on Commerce, that I am not going to jeopardize the bill by greatly extending my remarks this morning. I desire that bill to pass at this session of Congress, because I know that not only will all the people of the United States be assisted and aided by the enactment of that bill but it will be especially beneficial to New England.

Mr. President, we raise 40,000,000 bushels of potatoes a year in one county in my State. If the toll charges could be taken off on this canal, those potatoes could be moved south and west, where they are largely used for seed potatoes, and to every State in the Union where potatoes are shipped, it would mean a saving of hundreds of thousands of dollars to the farmers of the State of Maine.

Mr. HOWELL. Mr. President——

Mr. FERNALD. If my friend from Nebraska will allow me to proceed I am sure that I will give him an opportunity to ask and shall be glad to answer all questions he may suggest, but I should like to develop this phase of my subject.

Mr. HOWELL. But may I ask the Senator just one question at that point?

Mr. FERNALD. Yes; the Senator may proceed.

Mr. HOWELL. What is the rate per ton of charges on the canal?

Mr. FERNALD. It varies, but I think it averages 10 cents per ton.

Mr. HOWELL. Is not the charge 8 cents?

Mr. FERNALD. It is 8 or 10 cents; I do not know exactly. It is 10 cents on some things, 12 cents on others, and 3 or 4 cents on others.

Mr. HOWELL. How much would the Senator say the freight charge would be upon a bushel of potatoes under a rate of 8 cents a ton?

Mr. FERNALD. It would not be a very large amount on 1 bushel of potatoes, but if a farmer had 10,000 bushels of potatoes to ship by the canal it would amount to a considerable sum.

Mr. HOWELL. Let us figure it out and see what the saving would be on a bushel of potatoes.

Mr. FERNALD. Mr. President, I refuse to yield for a little detail of that character. I wish now to answer a question which my friend from Nebraska suggested on yesterday.

Mr. HOWELL. Mr. President——

The PRESIDENT pro tempore. The Senator from Maine declines to yield further.

Mr. FERNALD. I regret to decline to yield, but there are others who are interested in this bill who desire to speak. I repeat that I wish now to answer a question which the Senator from Nebraska asked me on yesterday, and then we will consider this new proposition.

My distinguished and kindly friend in a statement made on yesterday said that the Cape Cod Canal carried one-fifth—just notice the figures, Senators, please; this is the statement from my friend from Nebraska—according to his statement, the Cape Cod Canal carried one-fifth of the tonnage of the Panama Canal, but, according to my own statement, which I think is fairly correct, it is about one-third. Nearly three times as many vessels passed through the Cape Cod Canal as through the Panama Canal, and, according to my friend, one-fifth of the amount of freight tonnage, but, according to my own figures, nearly one-third of the tonnage. So three times the number of vessels passed through the Cape Cod, as we both agree, as passed through the Panama Canal, but the vessels which passed through the Panama Canal were largely foreign vessels, flying a foreign flag, while the vessels passing through the Cape Cod Canal were flying the American flag and were American vessels. The cost of the two canals was as 1 to 35. The Panama Canal cost thirty-five times as much as the Cape Cod Canal.

Mr. President, I might almost rest my argument right there. Which is of greater interest to the people of this country, the Panama Canal through which foreign vessels, flying foreign flags, carrying foreign sailors, pass, or the Cape Cod Canal through which three times as many vessels pass as go through the Panama Canal—vessels flying the American flag, manned by American sailors, and carrying American goods through a canal on American soil?

Mr. HOWELL. Mr. President——

Mr. FERNALD. I am willing right now, if my friend insists upon interrupting me, to yield, though it will take me a very much longer time to debate this question.

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

Mr. FERNALD. I yield.

Mr. HOWELL. Does the Senator not think that this question is of such very great importance that we ought to go into the details of the matter?

Mr. FERNALD. To be frank with the Senator from Nebraska I will say that I do not think that the details of the proposition count very much. The Cape Cod Canal, if it shall be taken over by the Government, is going to be free; there will be no toll charges upon it at all. I can not see why it is important to enter into an extended discussion of the details of the cost of the canal or the details as to the various stages of its development.

Mr. HOWELL. Mr. President——

Mr. FERNALD. Just allow me to go on.

Mr. HOWELL. The Senator is questioning the figures which I gave on yesterday.

Mr. FERNALD. No; the Senator and I agree upon the figures; I accept his figures.

Mr. HOWELL. I ask what was the tonnage that passed through the Cape Cod Canal in 1923?

Mr. FERNALD. I have not the figures before me, but I think I can obtain them at once.

Mr. HOWELL. Was it not about 4,200,000 tons?

Mr. FERNALD. I understood the Senator from Nebraska to state that it was about one-fifth of the tonnage which passed through the Panama Canal, and I accept that statement.

Mr. HOWELL. I thought the Senator from Maine said that it was one-third.

Mr. FERNALD. In 1923 the gross tonnage of vessels passing through the Cape Cod Canal was 4,051,689.

Mr. HOWELL. About 4,000,000 tons?

Mr. FERNALD. Yes.

Mr. HOWELL. What was the tonnage which passed through the Panama Canal during that year?

Mr. FERNALD. I took the Senator's own statement, and he said it was about five times as much.

Mr. HOWELL. It was about 25,000,000 tons?

Mr. FERNALD. Yes.

Mr. HOWELL. The Senator from Maine suggested that it was one-third a few moments ago in his remarks. It is nearer six times as much.

Mr. FERNALD. I said that I was willing to accept the statement of the Senator from Nebraska as to that.

Mr. HOWELL. Very well.

Mr. FERNALD. But the Panama Canal cost thirty-five times as much as the Cape Cod Canal. The Cape Cod Canal cost about $13,000,000, while the Panama Canal cost about $375,000,000. So I say it is more to the interest of the American people that the Government should purchase the Cape Cod Canal at the price fixed by the authorized agents of this Government than it is that we should own the Panama Canal; and it is admitted by all that the Panama Canal was the greatest project ever inaugurated in the last century.

Mr. HOWELL. Mr. President, if I may interrupt the Senator again, let me ask this question: The Panama Canal is paying, is it not?

Mr. FERNALD. Yes; but tolls are being charged on the Panama Canal.

Mr. HOWELL. I say that the Panama Canal is paying.

Mr. FERNALD. I presume so; I do not know about that.

Mr. HOWELL. Is the Cape Cod Canal paying?

Mr. FERNALD. No; it is not paying. How can it pay under the present circumstances? When it was taken over by the Government, at about the time the railroads were taken over, although the railroads had their freight and passenger rates immediately advanced by about one-third, instead of advancing the rates on the Cape Cod Canal they were not only kept as they had been but were actually lowered.

Mr. HOWELL. The rates on the canal have been increased since then, have they not?

Mr. FERNALD. The rates have been increased, and the property is now making a very good showing. However, Mr. President, I do not think that question enters into a discussion of this question at all.

Mr. HOWELL. But is it not a fact that there was a deficit from the operations of the canal of $600,000 last year?

Mr. FERNALD. I do not think there was a deficit so great as that.

Mr. HOWELL. Does the Senator know what the deficit was?

Mr. FERNALD. Mr. President, I have the figures here somewhere, but I am not going to discuss that matter now, because I do not think it enters into the question at all.

Mr. HOWELL. Does not the Senator think when the Government is asked to buy a going concern that we ought to inquire into what that going concern is worth?

Mr. FERNALD. Not if it is for the interest of the farmers and the other people of this country to own that canal; I do not think it enters into the question at all.

Mr. HOWELL. Does the Senator think it is for the interest of the people to have the Government buy a property which is showing a deficit?

Mr. FERNALD. Mr. President, I am not going to yield for a matter of that kind.

Mr. ROBINSON. Mr. President, I rise to a point of order.

The PRESIDENT pro tempore. The Senator from Arkansas will state his point of order.

Mr. ROBINSON. The Senate is in gross disorder. It is impossible to hear the discussion.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. FERNALD. Mr. President, I shall conclude in a very short time. I did not intend to take over 30 minutes this morning, nor do I intend now to do so. I am very anxious to have the pending bill in such shape that it may be passed by the Senate in a very few moments, and if there shall be a delay of the river and harbor bill it can not properly be charged to me.

There was some criticism in the minority report of this project. While I think the committee generally favors the proposal as submitted to the Senate, there are some differences as to the price which should be paid for the property. I quote from the views of the minority, as follows:

> There is no question in our mind about the importance of this canal. There ought to be a usable waterway connecting Buzzards Bay, Mass., and Cape Cod Bay, Mass. It ought to be adequate to serve the commercial needs. In connection with national defense it merits consideration likewise, but military authorities do not attach much value to it.
>
> * * * * * * *
>
> This canal has been built and the owners desire to sell and transfer it and all their rights and holdings to the Government.

Of course they desire a sale, because the canal is being run now for "whom it may concern," and any man whose property has been taken from him would be either anxious to sell it or to have it returned to him with due revenue for its use. Let me make the broad statement, Senators, that since this property was taken over by the Government the owners of the canal have never received a single copper—not so much as a postage stamp—for its use. Although it cost more than $13,000,000, up to this month they have never had a single cent of revenue from the Government, and they have been obliged to go to the courts to defend themselves at an expense of $750,000.

Mr. HOWELL. Mr. President, I dislike to interrupt the Senator——

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

Mr. FERNALD. I decline to yield at this time.

The PRESIDENT pro tempore. The Senator from Maine declines to yield.

Mr. FERNALD. I will conclude my remarks in a very few minutes. I wish to refer further to the minority report and again to quote the statement which I quoted a moment ago as follows:

> In connection with national defense it merits consideration likewise, but the military authorities do not attach much value to it.

In reference to that statement, Mr. President, let me say that in the courts in Massachusetts Maj. Gen. Clarence R. Edwards, commanding the department of New England, testified at the condemnation trial on November 7, 1919, that he had rendered a report to the War Department on the defense on the New England coast, but stated that as the report contained military secrets he did not wish to disclose the facts. The Federal judge thereupon said to counsel, "If you want to ask General Edwards whether, in his opinion, the canal is a substantial part of the modern scheme of defense, you may do so."

This question was then asked General Edwards:

> General Edwards, you understand the question in the way in which his honor framed it. I will not attempt to repeat it or paraphrase it.
>
> Answer (General EDWARDS). I think it is substantial and essential.

The same report has been made by Rear Admiral William E. Benson, Rear Admiral Colby H. Chester, Rear Admiral Austin M. Knight, Maj. Gen. William A. Black, and Maj. Gen. Leonard Wood. Every single authority who has ever been brought before the court or a committee of the Senate has recognized its military value, if not its military necessity.

Senators, I promised not to occupy over 30 minutes, and I shall hasten to a conclusion. I insist that this provision that is now before us shall be enacted into law, because the Secretary of War, acting as the agent of the Government, took this matter up with the canal company by the direction of the President and the Congress of the United States, and they came to a sacred understanding and agreement and contract. On that contract this amendment is based. It is unnecessary for me to say to the lawyers in the Senate that property can not be taken by the Government except by condemnation proceedings; any enactment of the Congress without adequate compensation would amount to nothing in a court of law so far as taking property is concerned, but they can observe a sacred contract by which, if it is passed by the Congress of the United States on these terms, this matter may all be settled.

The canal company had a bill against the Government of more than $1,000,000 for the use of the canal during the 20 months of the war, the same as the Railroad Administration. All this has been brushed aside. Every single detail has been cleared up. The Secretary of War, the Secretary of the Navy, and the Secretary of Commerce had this matter before them for weeks. They have determined in every detail every proposition; and I swear by the Eternal that it shall never be said of me that I have gone back on any officer of this Government. When I lifted my hand to Heaven and took my oath to support the Constitution of the United States, it meant to me that I should support those in authority in the United States Government, and when the Secretary of War makes a contract with anybody I am going to stand by that contract.

Mr. President, the one thing that I want to bring finally to the attention of the Senate is that this matter has been thoroughly thrashed out by the Secretary of War, who understands better than perhaps any other man in this Government the value of this property and all the details connected with it. He has made a report to the Congress of the United States. The House has voted on this bill and has passed it. It is now before this body for enactment; and I know that the Senate of the United States will never go back on any authorized person, acting for it as agent, who has made a contract with any American company for the solution of this matter.

Mr. SWANSON. Mr. President, do I understand that the Government made a contract for the purchase of this canal?

Mr. FERNALD. I am glad to rest my case on the answer to that question. Yes; the Secretary of War was authorized by the Congress of the United States to make a contract to adjust this matter. President Wilson, who began the condemnation proceedings, President Harding, who had this matter come to him almost immediately upon accepting the office of President, and President Coolidge himself have all recommended not only that this contract——

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

Mr. FERNALD. I yield to the Senator.

Mr. ROBINSON. As a matter of fact, the authorization was for negotiations on the part of the President, and any contract was to be made subject to the approval of the Congress.

Mr. FERNALD. Of course, all contracts must be made subject to the approval of Congress; but suppose that during the war every contract that had been made by the Secretary of War or the Secretary of the Navy had come to this body, and we had said, "Oh, we think you are paying too much; we think we ought to debate this matter; we think we ought to defer it; we think it ought to be postponed," where would we have gotten in time of war? If in time of war it is the duty of the Government to stand by the officers of the Government, it is a thousand times more important that in time of peace, when we can properly consider all these matters, we now stand by the officers of the Government.

Mr. GOODING obtained the floor.

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

Mr. GOODING. Not for any discussion.

Mr. HOWELL. I should like to ask some questions.

Mr. GOODING. The Senator will have his own time in which to discuss this question, and I refuse to yield.

Mr. HOWELL. Will not the Senator yield for a few questions to the Senator from Maine?

Mr. GOODING. I do not think the Senator from Maine cares to answer the questions now. I think the Senator from Nebraska should take up that matter in his own time.

TRAFFIC REGULATION AND ADDITIONAL JUDICIAL OFFICER—CONFERENCE REPORT

Mr. BALL. Mr. President——

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

Mr. GOODING. I yield to the Senator with the understanding that it is not going to take any time to dispose of the matter he desires to present.

Mr. BALL. I ask unanimous consent to present a conference report.

The PRESIDENT pro tempore. The Senator from Delaware presents a conference report, which will be read.

The Chief Clerk read the report, as follows:

The committee of conference on the disagreeing votes of the two Houses on the amendments of the House to the bill (S. 4207) 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its amendments numbered 10, 11, 12, 13, 15, 16, 17, 23, and 30.

That the Senate recede from its disagreement to the amendments of the House numbered 1, 2, 3, 5, 6, 9, 14, 18, 19, 21, 22, 24, 25, 26, 27, 28, and 31, and agree to the same.

Amendment numbered 4: That the Senate recede from its disagreement to the amendment of the House numbered 4, and agree to the same with an amendment as follows: In the second line of the matter proposed to be inserted by the House amendment strike out "Code of Law for the District of Columbia" and in lieu thereof insert "District of Columbia Code"; and on page 10, line 16, of the Senate bill strike out "7" and in lieu thereof insert "8"; and on page 11, line 9, of the Senate bill strike out "6" and in lieu thereof insert "7"; and on page 12, line 9, of the Senate bill strike out "6" and in lieu thereof insert "7"; and on page 20, line 19, of the Senate bill strike out "5" and in lieu thereof insert "6"; and the House agree to the same.

Amendment numbered 7: That the Senate recede from its disagreement to the amendment of the House numbered 7, and agree to the same with an amendment as follows: On page 6, line 17, of the Senate bill strike out "chief" and in lieu thereof insert "major and superintendent"; and the House agree to the same.

Amendment numbered 8: That the Senate recede from its disagreement to the amendment of the House numbered 8, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert "which regulations shall remain in force until revoked by the director with the approval of the commissioners and a comma"; and the House agree to the same.

Amendment numbered 20: That the Senate recede from its disagreement to the amendment of the House numbered 20, and agree to the same with an amendment as follows: On page 12, line 16, of the Senate bill, after "hour" insert "except in such outlying districts, and on such arterial highways, as the director may designate"; and the House agree to the same.

Amendment numbered 29: That the Senate recede from its disagreement to the amendment of the House numbered 29, and agree to the same with an amendment as follows: In lieu of the matter proposed to be inserted by said amendment insert the following:

"SEC. 14. For the purpose of expediting motor-vehicle traffic the director is authorized and directed to designate and establish as arterial highways or boulevards such public highways as he deems advisable, to provide for the equipment of any such highway or boulevard with such traffic-control lights and other devices for the proper regulation of traffic thereon, as may be appropriated for by the Congress from time to time."

And the House agree to the same.

L. HEISLER BALL,
W. L. JONES,
ARTHUR CAPPER,
W. H. KING,
MORRIS SHEPPARD,
Managers on the part of the Senate.

F. N. ZIHLMAN,
E. W. GIBSON,
HENRY R. RATHBONE,
THOMAS L. BLANTON,
RALPH GILBERT,
Managers on the part of the House.

Mr. ROBINSON. Mr. President, I think the Senator ought to explain briefly to the Senate the effect of the conference report. Is this a complete agreement?

Mr. BALL. This is a unanimous agreement of the conferees on the part of both the House and the Senate.

Mr. ROBINSON. Is it a complete agreement? If the conference report is agreed to by both Houses, will it pass the bill?

Mr. BALL. It is a complete agreement.

Mr. ROBINSON. I have no objection to its present consideration.

Mr. BALL. I ask unanimous consent for its immediate consideration.

Mr. GERRY. What is the bill?

Mr. BALL. It is Senate bill 4207, 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.

The PRESIDENT pro tempore. Is there objection to the immediate consideration of the conference report? The Chair hears none. The question is upon agreeing to the report.

The report was agreed to.

FORT REVERE RESERVATION, HULL, MASS.

Mr. WALSH of Massachusetts. Mr. President——

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

Mr. WALSH of Massachusetts. From the Committee on Military Affairs I report back favorably without amendment House bill 6095, to authorize the Secretary of War to sell real property, to wit, a portion of the Fort Revere Reservation, at Hull, Mass.; and I submit a report (No. 1245) thereon. I ask unanimous consent for the immediate consideration of the bill. It is a very simple measure.

The PRESIDENT pro tempore. The Senator from Massachusetts asks unanimous consent for the immediate consideration of the bill just reported by him. Is there objection?

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

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

CLALLAM TRIBE OF INDIANS, WASHINGTON

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 1707) appropriating money to purchase lands for the Clallam Tribe of Indians in the State of Washington, and for other purposes, which were, on page 1, line 5, to strike out "$600,000" and insert "$400,000"; on page 2, line 3, to strike out "*And provided further*" and insert "*Provided further*"; on

page 2, line 5, to strike out "3½" and insert "4"; on page 2, line 9, to strike out all after "Interior" down to and including "event," in line 10, and insert "*And provided further*, That the interest accumulated at the end of any fiscal year to the credit on the shares of any minor child may be disbursed, under the direction of the Secretary of the Interior, to the parent or parents or guardians of such minor child or children: *And provided further*, That."

Amend the title so as to read: "An act appropriating money for the relief of the Clallam Tribe of Indians in the State of Washington, and for other purposes."

Mr. JONES of Washington. I move that the Senate concur in the amendments of the House.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Washington.

The motion was agreed to.

EXTENSION OF TIME IN CIVIL SUITS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, which was, on page 1, line 7, to strike out "six" and insert "four."

Mr. SHORTRIDGE. Mr. President, I move that the Senate concur in the amendment of the House.

Mr. KING. Mr. President, what is the bill?

Mr. SHORTRIDGE. It is Senate bill 3913.

Mr. KING. What is the title?

The PRESIDENT pro tempore. The Secretary will state the title of the bill.

The CHIEF CLERK. A bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51, chapter 4, of the Judicial Code," etc.

Mr. ROBINSON. To what does it relate?

Mr. SHORTRIDGE. This is a Senate bill which passed the Senate and went to the House, where it was passed with an amendment. It provides, among other things, that the last proviso of section 51, chapter 4, of the Judicial Code, as amended by the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, is amended to read as follows:

Provided further, That this act shall be effective for a period of six years after——

Mr. ROBINSON. To what does the act relate?

Mr. SHORTRIDGE. It relates to civil actions or proceedings commenced or to be commenced in Federal courts and involves a statute of limitation.

Mr. GOODING. Mr. President, if this matter is not understood, I shall not yield any longer.

Mr. ROBINSON. I suggest that the Senator call the matter to the attention of the Senate later.

Mr. SHORTRIDGE. Very well.

POSTHUMOUS APPOINTMENTS AND PROMOTIONS IN THE ARMY

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution (S. J. Res. 124) to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers, which were, on page 1, line 8, after "grade," to insert "or had successfully completed the course at a training school for officers and had been recommended for appointment to a commissioned grade by the officer commanding or in charge of such school"; on page 1, line 9, to strike out "such" and insert "the"; on page 1, line 9, after the word "commission," to insert "for such grade"; on page 2, line 11, after the word "for," to insert "appointment or for"; and on page 3, lines 2 and 3, to strike out "since April 6, 1917."

Mr. HARRIS. I move that the Senate concur in the House amendments.

The PRESIDENT pro tempore. The question is on the motion of the Senator from Georgia.

The motion was agreed to.

PAYMENT TO REPRESENTATIVES OF DECEASED OFFICERS AND ENLISTED MEN

Mr. RALSTON. Mr. President——

Mr. GOODING. I yield to the Senator from Indiana.

Mr. RALSTON. From the Committee on Military Affairs, I report back favorably without amendment Senate bill 329, providing that the act approved December 17, 1919, entitled "An act to provide for the payment of six months' pay to the widow, children, or other designated dependent relatives of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct," shall be executed and administered as though it had been passed and approved October 6, 1917; and I submit a report (No. 1246) thereon. I ask unanimous consent for the immediate consideration of the bill.

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

Mr. KING. Reserving the right to object, I should like an explanation of the bill.

Mr. RALSTON. The bill is self-explanatory. It was fully considered by the Military Affairs Committee yesterday. It was explained by the Senator who introduced it, the Senator from Montana [Mr. WALSH]. The committee unanimously approved it. It is a permissive bill only.

Mr. KING. I have no objection.

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

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That hereafter the act approved December 17, 1919, entitled "An act to provide for the payment of six months' pay to the widow, children, or other designated dependent relatives of any officer or enlisted man of the Regular Army whose death results from wounds or disease not the result of his own misconduct," shall be executed and administered as though it had been passed and approved October 6, 1917.

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

REGULATION OF STEAM ENGINEERING IN THE DISTRICT

Mr. COPELAND. Mr. President——

Mr. GOODING. I yield to the Senator from New York.

Mr. COPELAND. Last night the Senate passed a bill regulating steam engineering in the District of Columbia. At the same time the House passed a bill which is identical in spirit, but a little different in form. I move that House bill 11701 be substituted for the bill which we passed last night.

Mr. KING. Are there any changes?

Mr. COPELAND. Not at all.

The PRESIDENT pro tempore. The Senator from New York moves that House bill 11701 be substituted for Senate bill 4004.

Mr. KING. It deals with engineering in the District of Columbia.

The PRESIDENT pro tempore. Without objection, the substitution will be made.

House bill 11701 was read twice by its title.

The Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 11701) to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887.

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

PRESIDENTIAL APPROVALS

A message from the President of the United States, by Mr. Latta, one of his secretaries, announced that on February 27, 1925, the President approved and signed the act (S. 2803) to regulate within the District of Columbia the sale of milk, cream, and ice cream, and for other purposes; and on February 28, 1925, the act (S. 4045) granting the consent of Congress to W. D. Comer and Wesley Vandercook to construct a bridge across the Columbia River between Longview, Wash., and Rainier, Oreg.

PRICE OF GASOLINE

The PRESIDENT pro tempore laid before the Senate a message from the President of the United States, which was read, as follows:

To the Senate:

In response to the resolution of the Senate of February 26, 1925, requesting the President, "if not incompatible with the public interest, to forthwith transmit to the Senate a copy of the report of the Federal Trade Commission on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum products and other data pertaining to the operations of the oil companies and refineries," I transmit herewith a report of the Federal Trade Commission on the increase in gasoline prices for 1924, together with the letter of submittal of said report from Hon. Huston Thompson, then chairman of the commission, under date of June 4, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *February 28, 1925.*

The PRESIDENT pro tempore. The message and accompanying report will lie on the table for such disposition as the Senate may desire to make of the matter.

EMPIRE COTTON GROWING CORPORATION (S. DOC. NO. 226)

The PRESIDENT pro tempore laid before the Senate the report of the Federal Trade Commission submitted pursuant to Senate Resolution 317 (agreed to January 27, 1925), relative to the development, methods, and activities of the Empire Cotton Growing Corporation, a British firm.

Mr. SHEPPARD. The report is not a very long one, and I ask that it be printed as a Senate document, including the illustrations.

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

RIVER AND HARBOR BILL

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

Mr. GOODING. Mr. President, from the beginning of time the methods of transportation have marked the progress and advancement of civilization.

Ours is the greatest civilization of all, for we have the greatest methods of transportation. This is the age of steam, the age of electricity, the age of the motor vehicle, the age of the flying machine, and in this progressive age of ours transportation is vital to every industry, every city, to every State, as well as to the Nation itself, and this country will be just as big and just as great as its transportation, for no industry, city, or State can grow and develop beyond its transportation.

Those communities, cities, or States that are forced to meet discriminatory freight rates have not even a fighting chance to grow and develop their resources, for capital will never invest in any industry, in any community, or in any city, in any part of the country where there is a discrimination in freight rates, or where there is even a danger of discrimination in freight rates.

Through the discrimination in freight rates in this country we have built up great centers of population at the expense of the interior, which some day, unless that policy is changed, may prove dangerous to the Government itself.

Mr. President, transportation at all times should have the first consideration of Congress, for no factor enters into our national life as much as transportation, for transportation is vital to the defense of our country, vital for the development of our mighty resources, and essential to the prosperity and happiness of the people.

For almost half a century there has been a bitter struggle in this country between rail transportation and water transportation. The struggle has been long, bitter, and severe, but with the assistance of our own Government, through the Interstate Commerce Commission, which has permitted the railroads to charge more for the shorter haul than for the longer haul, the struggle to meet water transportation has been an uneven one, and the destruction of water transportation by the railroads in this country on our inland rivers, where these violations have been permitted, is almost complete.

For a great many years bills have been introduced in Congress denying the Interstate Commerce Commission the right to permit the railroads to charge more for the shorter haul than for the longer haul, but those bills have always been amended so their usefulness was destroyed when interpreted by the Interstate Commerce Commission. It remained for this Senate, however, in the first half of this session, to pass an absolute fourth section bill, which denied the Interstate Commerce Commission the right to permit the railroads to charge more for the shorter haul than for the longer haul, for the same class of freight, moving in the same direction, to meet water transportation, or, I should say, to destroy water transportation, for that is the only purpose of a violation of the fourth section of the interstate commerce act by the railroads that has ever been assigned by the Interstate Commerce Commission.

Mr. President, the Interstate Commerce Commission has said, in substance, on many different occasions that the purpose of the violations of the fourth section of the interstate commerce act was to destroy water transportation. The members of the Interstate Commerce Commission have also said that if Congress did not want transportation on our inland waterways destroyed and our coastwise shipping impaired by the violation of the fourth section of the interstate commerce act, Congress should say so with legislation.

To say that the Interstate Commerce Commission did not know and understand that permission to the railroads to charge more for the shorter haul than for the longer haul to meet water transportation did not mean the destruction of water transportation would, in my judgment, be an insult to their intelligence.

Mr. President, Senate bill 2327, which passed the Senate in the first half of this session by a vote of 54 to 23, in my judgment is the most important legislation, as far as transportation is concerned, that has passed the Senate for many years. Unfortunately for that measure, however, the Interstate Commerce Committee of the House did not commence the hearings on that bill until the 20th of January.

I have been advised that Senate bill 2327 had many friends on the Interstate Commerce Committee of the House, but when the hearings dragged out so long the friends of the measure lost heart and did not rally to the support of the bill, and when the motion to report the bill out of the committee was under consideration four friends of the measure were absent.

The amendment I have offered to the river and harbor bill modifies Senate bill 2327, which is known as the long and short haul bill, and eliminates practically all of the objection made by the eastern and southern railroads. This amendment will not change a single rate that exists on the railroads to-day; it merely provides that in the future there shall be no violation of the fourth section on the part of the railroads for the purpose of destroying water transportation.

If my amendment to the river and harbor bill is accepted in the Senate, it is believed by those who are favorable to this amendment in the House of Representatives that it will have very little, if any, opposition when it reaches the House for consideration.

Mr. President, it seems to me no one should object to the enactment of legislation that would say to the Interstate Commerce Commission: "Your work of destruction of water transportation must stop. We will not interfere with such violations as exist at this time, but for the future your work of destruction is over."

While this amendment is not all it should be, yet, after all, I find legislation is very much of a compromise, and as my amendment will go to the root of the evil of the destruction of water transportation in the future, I am quite willing to accept it, and the friends of the measure—at least all of those I have been able to advise with in the Senate—are ready to accept this compromise measure.

If my amendment is accepted and the river and harbor bill becomes a law, it will make possible transportation on our inland waterways that is so essential at this time to meet the demands of our low-priced farm products and our low-priced basic materials for cheaper transportation; and at the same time, Mr. President, it will avoid a crisis in this country that is inevitable from a lack of adequate transportation to take care of the ever-growing commerce of this country.

What I am fighting for is a national policy for our inland waterways and our coastwise shipping; one that will have the protection of the Government; not one that will be destroyed by the Government, as has happened in the past, through permission to the railroads to charge more for the shorter haul than for the longer haul, all for the purpose of destroying water transportation.

What I am fighting for is a national policy in freight rates; freight rates without discrimination, so that every State in the Union will be given an opportunity to develop its resources. What I am fighting for, Mr. President, is the use of our inland waterways in the North, in the South, in the East, and in the West, so that our low-priced farm products may seek the nearest water transportation down our inland waterways to our own markets and to the markets of the world.

It is not only necessary to have water transportation on our inland waterways to carry our low-priced farm products to market, but we need water transportation on our inland waterways to carry the cheap basic materials of the country, such as coal and iron and other basic materials, to our great cities, to our mills and to our factories, all of which will be a mighty factor in bringing about a cheaper cost of production, so essential to the prosperity, progress, and development of this country. All I am fighting for, Mr. President, is to make this a bigger and better country all the way around, a square deal in freight rates for all the people, that is all, and nothing more.

The amendment I have offered to the river and harbor bill, that denies to the Interstate Commerce Commission the right to permit railroads to charge a higher freight rate for the shorter haul than for the longer haul in order to destroy water transportation, is, in my judgment, vital to the American farmer, for if we can stop this discrimination in freight rates which affects the great interior of this country it will

give the interior States a chance to establish industries to manufacture their raw materials into the finished products. This will mean the building of cities in the interior; it will mean a home market; it will make possible diversified farming; it will break up the great wheat fields in Kansas and the Dakotas and in other far Western States, and give those States an opportunity for diversified farming.

At the present time there is no home market to speak of in any of the interior States in the West. The farmers are forced to grow wheat and other grain products and ship them over long railroad hauls to market, over railroads manned by the most expensive labor in all the world, where freight rates are of necessity high, so high that in many cases the low-priced farm products will not bear the cost of transportation to market and leave anything for the farmer.

What we need in this country, Mr. President, is a balanced condition on the farm. The United States has 40,000,000 acres more of crop production than consumption, but under the present policy of our Government, which permits discrimination in freight rates against the interior, home markets are impossible, and for that reason diversified farming is impossible, to a large extent, in our Western States.

Diversified farming means better cultivation of the soil, and this will do much to keep up the fertility of the soil, which is being exhausted at a most alarming rate by the growing of wheat and other grain crops.

Mr. President, I am sure all of those who have studied the transportation problem of this country with open minds agree very thoroughly that unless the Government stops the discrimination against our inland waterways and our coastwise shipping the growth and development of this country must soon come to a standstill from a lack of adequate transportation.

I have here an excerpt from President Harding's message to Congress on December 8, 1922. President Harding had made a great study of the transportation problems of the country. Had he been spared to the country, I am satisfied we would have been by now well under way toward settling the most important problem to the American people, that of transportation. I quote President Harding:

Here is an outstanding problem, demanding the most rigorous consideration of the Congress and the country. It has to do with none other than agriculture. It provides the channel for the flow of the country's commerce, but the farmer is particularly hard hit.

His market, so affected by the world consumption, does not admit of the proper adjustment to meet carrying charges. In the last half of the year now closing the railways, broken in carrying capacity because of motive power and rolling stock out of order, though insistently declaring to the contrary, embargoed his shipments or denied him cars when fortunate markets were calling. Too frequently transportation failed while perishable products were turning from possible profit to losses counted in tens of millions.

I know of no problem exceeding in importance this one of transportation. In our complex and interdependent modern life transportation is essential in our very existence.

Let us pass for a moment to the menace in the possible paralysis of such service as we have and note the failure, for whatever reason, to expand our transportation to meet the Nation's needs.

The census of 1880 recorded a population of 50,000,000. In two decades more we may reasonably expect to count thrice that number. In the three decades ending in 1920 the country's freight by rail increased from 631,000,000 tons to 2,234,000,000 tons; that is to say, while our population was increasing less than 70 per cent the freight movement increased over 250 per cent.

We have built 40 per cent of the world's railroad mileage and find it inadequate to our present requirements. When we contemplate the inadequacy of to-day it is easy to believe that the next few decades will witness the paralysis of our transportation-using scheme or a complete reorganization on some new basis. Mindful of the tremendous costs of betterments, extensions, and expansions, and mindful of the staggering debts of the world to-day, the difficulty is magnified. There is a problem demanding wide vision and the avoidance of mere makeshifts.

No matter what the errors of the past, no matter how we acclaimed construction and then condemned operations in the past, we have the transportation and the honest investment in the transportation which sped us on to what we are, and we face conditions which reflect its inadequacy to-day, its greater inadequacy to-morrow, and we contemplate transportation costs which much of the traffic can not and will not continue to pay.

Manifestly we have need to begin on plans to coordinate all transportation facilities. We should more effectively connect up our rail lines with our carriers by sea. We ought with our carriers to reap some benefit from the hundreds of millions expended on inland waterways, proving our capacity to utilize as well as expend.

I have also an excerpt from President Harding's speech delivered at Kansas City, Mo., June 22, 1923. He said:

There is another highly important phase of the transportation problem very much worth our attention. I believe the use of our inland waterways offers the one sure way to reduce carrying charges on basic materials, heavy cargoes, and farm products. Probably all of us acknowledge the urgent need of diminished cost on agricultural shipments and many bulk cargoes essential to manufacturing industry.

We ought to try the experiment of coordinating rail and water shipments, we ought to avail ourselves of the waterways developed through expenditures of enormous public funds, and we ought to give the waterway carriers a chance to prove their capacity for helpful service.

The Federal Government has expended approximately $1,130,610,000 on river and harbor improvement. Only last spring the Congress appropriated $58,589,910, in spite of a Budget recommendation of less than half. For the sums spent on harbors we have most beneficial results. The millions expended on inland waterways, on rivers and canals, have brought small returns, because we have put them to no practical use. Though we expended to cheapen carrying charges and to facilitate transportation, we have failed in coordinating service and have allowed the railroads to discourage every worth-while development.

Where barge and packet service has been established there has been such an unfair division of the joint carrying charge that waterway development has been impeded, and where service lines by water have been established the hoped-for reduction of rates has been denied or avoided until the plea of cheapened transportation by water has seemed a mockery.

I know no word that so fully answers the $450,000,000 that this country has expended on its inland waterways as the word "mockery, mockery." It is the only word that can be used. Water transportation on our inland rivers has practically been destroyed, with the exception of those inland waterways east of Chicago, where no violations have ever been permitted.

Mr. President, I have here a part of an address by the Hon. George W. Anderson, late a member of the Interstate Commerce Commission, before the Boston City Club, April 11, 1918, in which he said:

But a large part—and I think the weight of opinion is the larger part—of the decay of water-borne traffic has been due to artificially competitive rates. The long-and-short-haul provision of the interstate commerce act has been allowed to be set aside in order to meet water competition, and "meeting water competition" has commonly resulted in the destruction of water competition.

During the last few years this destruction of water competition has reacted upon the carriers. When a rail carrier is saturated with traffic, additional traffic, causing congestion or a tremendous expense for new facilities, is disproportionately expensive and therefore unremunerative. Until about June 30, 1915, the rail carriers of the country wanted all the traffic there was.

But during that year some of them became engorged, congested, overburdened. A large share of the locomotives which would normally have gone to our rail carriers went abroad. This made a bad situation worse. Then, almost for the first time in two generations, the American people awoke to the fact that they had been foolishly destroying transportation facilities furnished them by Divine Providence. Our canals have been in large numbers abandoned or little used. Canal transportation has been decadent from about 1840. So also as to our rivers and, to a large degree, to our coastwise transportation. * * *

But, passing what we hope are the short-lived troubles of the war, the relation of rail transportation to a properly developed water transportation is of fundamental and permanent importance. As I probe deeper into the rate structure and try to analyze fundamental transportation facts I am surprised to find the extent to which the growth of large cities has been due to preferential rates.

Railroad managers have come almost instinctively to regard water traffic as something to be done to death, fought without quarter. * * *

The destruction of water facilities is not the only untoward result of this unwise and injurious sort of competition. Rates, originally low but possibly remunerative, have given such advantage to certain * * * cities that these cities have grown disproportionately, absorbing to themselves an overload of traffic with a resultant increasing terminal charge, generally absorbed by carriers, so that it is plausibly claimed there are very many long through rates between our larger cities which, including terminal charges, show an actual, substantial out-of-pocket loss.

Manifestly these railroads must become bankrupt or assess an unduly high charge upon intermediate and noncompetitive traffic. This results in subsidizing the undue growth of large cities and suppressing the proper growth of smaller cities and towns. I need not now dwell upon the disturbing social, political, and moral problems of our overgrown cities. We all agree that excessive urban growth is one of the evils of

our modern society. In some of our cities the seemingly fundamental problem of housing the working population remains unsolved and now confronts us as a war matter of first importance. Few people have had any adequate recognition of the extent to which that urban overgrowth has been caused by artificially competitive rail rates.

Or, I might say, preferential rates, all of which, as is so clearly stated, must be made up on the smaller towns and the smaller communities. In my judgment it is nothing less than a crime.

I have here a statement taken from Volume I, Report No. 756, of the Senate. It is a statement made by Colonel Keller, now Major General Keller, Corps of Engineers, United States Army, a gentleman who has had charge of the construction of our inland waterways for a lifetime. I think the statement he made before the Rivers and Harbors Committee of the House is most important and ought to be accepted as a statement of the true facts in regard to the condition of our inland waterways, because he speaks from years of experience and with a full knowledge of many investigations. General Keller said:

We already knew—we knew before we started—that there was little or no navigation. We also knew that there was comparatively little interest on the part of the various local communities that seemingly ought to be very much interested in river navigation. We found out that the causes of this condition were the familiar causes that had been reported by one commission after another.

Let me divert for a moment. What is it that has made these river points or the cities that had water transportation so little interested in the problems of water transportation or in making a beneficial use of waterways? It is through having water transportation, or potential water transportation, that the Interstate Commerce Commission has permitted the railroads to make freight rates so low at those river points that they are not interested in water transportation. They have all the results of actual water transportation through the expenditures of our Government, although on 75 per cent of the rivers in America on which the Government has expended $450,000,000 there is not a boat operating to-day.

I say to Senators who come here representing the coast States or States having cities which have potential water transportation, that they are here under the Constitution representing all of the people of their own States and all of the people of the United States. It is nothing less than a crime for Senators to sit here and permit the Interstate Commerce Commission to force upon the people of the interior, the pioneers who made possible this great country, higher freight rates than are enjoyed by the great cities that have water transportation which has been placed there by the great forces of nature, and which have rates lower than the people back in the interior, I care not whether they are in the South or the West.

Let me proceed with the quotation from General Keller:

And second, there is the fear of hostility on the part of the railroads. It is possibly a familiar fact to this committee that the railroads do discriminate in their dealings with people who attempt to use our inland channels. * * * That they have the right to discriminate in this fashion no one will maintain, but that they practically do discriminate, no one will deny. * * *

In some cases shippers at water points would be called upon by railroad representatives and in a polite and gentlemanly way be given to understand that it was possible to improve his service. If he became dissatisfied with the water service and said, "Well, I am going to use the railroads after this," often within the next day or two the car he had been waiting for so long appeared at his station ready to be loaded. That is the policy the railroads have pursued. If the railroads can not reach the shipper in any other way, then they penalize him by denying him service.

But, Mr. President, let me go on with what General Keller has to say on this question, because no one discusses the subject so well and no one can speak as advisedly as can he.

But foremost of all, most fundamental of all, is the detrimental effect of the rail rates to river points. * * * I am convinced that no really successful navigation can be established unless the present structure of rail rates is completely revised.

At present the river communities do not pay their just share, and traffic is handled to river points at unremunerative rates. Of course, the ultimate effect of that condition is to render transportation unprofitable and practically impossible. The fundamental cause of trouble was exposed many years ago, and has been emphasized again and again. There is no novelty in the conclusions to which I have come, and I will say that when I speak in the first person I speak the views of the committee. We believe that without this primary change in railroad rates comparatively little can be done to establish a really useful and prosperous traffic upon our inland navigation routes (p. 7). * * *

No language could be stronger than that, Mr. President; he tells the whole story; and yet we are now considering a bill that proposes to appropriate $40,000,000, much of it to be used on our inland waterways. Let us not forget also that we have recently provided for inland waterways in the Army appropriation bill an appropriation of $40,000,000, making $80,000,000 which at this session of Congress have been provided for the improvement of our inland waterways and our harbors.

General Keller goes on to say:

Our remedy is to change the law, and that is perhaps more easily said than done.

How true that is, Mr. President.

But I think we all concede that this is the evil that must be cured, that railroads should not be permitted to discriminate in favor of certain communities and against others. That is what it amounts to. When they carry freight below cost to river points in any part of the country they must recoup themselves by getting an extravagant and unjust profit on some of the rest of the business, the business to inland points (p. 14).

Mr. President, it seems to me that Senators who have come here to legislate in the interest of all the people and who represent all the people should be willing to take General Keller's statement in regard to the condition of our inland waterways. It is a mockery, as President Harding said; it is absolutely impossible to have any water transportation under the policy which Congress has permitted to obtain for almost half a century. We can not shift the responsibility. The responsibility is ours, not that of the Interstate Commerce Commission; and all we have got to do if we want to stop it is to say so in legislation. It is a simple story, Mr. President.

I have here a statement made by General Goethals before the Rivers and Harbors Committee of the House of Representatives when the Louisiana and Texas intracostal waterway project was before that committee for consideration. On page 37 of that report the chairman asked the following question of General Goethals:

Is this potential commerce going to become actual commerce?

To which General Goethals replied:

I think it will. In the early days when construction of railroads received such an impetus they were unregulated. Their rates were anything they chose to make them. As soon as water development appeared in competition with railroads, the railroads promptly choked it off. I was sent down in 1890 to open the Muscle Shoals Canal, which had been dragging along, in order to get preferential rates for the city of Chattanooga. Muscle Shoals Canal was opened, the Interstate Commerce Commission held hearings, and the rates were reduced. They had organized a company on the Tennessee River, which was to navigate from Chattanooga to the mouth of the river, through the canal.

A few months after the inauguration of the new rates, and the establishment of this water transportation, the steamboats and the barges stopped running.

I found out that the railroads had acquired a majority of the stock and stopped operation. The freight rates immediately went up. In time a competing line was established with the same process as previously existed.

Again on page 39 General Goethals was asked by Mr. NEWTON:

Do you know how the rates at the west end of the canal compare with the rates in other sections?

General Goethals replied:

No; I don't. I do not know.

Mr. DEAL then asked:

Is it not true that in all sections of the country, not only on inland waterways but coastwise, shipping has been arrested by lowering railroad rates, advancing rates on the railroad-owned vessels, and not only this, but every obstacle thrown in the way of shipments by water in order to force traffic through by rail?

Mr. LINEBERGER, a member of the committee, replied:

They have even suppressed the lines of water transportation.

Mr. DEAL. They did during the war and took all the feeders from some of our water lines.

General GOETHALS. Yes; it is just the same as where you have the dog and the cat—it is natural for the dog to fight the cat.

And a river boat has just as much chance against the railroads as a cat has against a dog; it has to run away; and they have all run away and are now tied up rotting at their wharves, simply because our own Government has insisted, through the Interstate Commerce Commission, that the $450,000,000 which we have spent in this country for waterway improvement is to be destroyed or rendered useless.

Mr. President, I have here a statement made by Mr. NEWTON, a member of the Rivers and Harbors Committee of the House when that committee had under consideration House bill 3921, providing for the improvement and completion of prescribed sections of the Mississippi, Missouri, and Ohio Rivers. Mr. NEWTON made the following statement:

We have a packet boat operating from St. Louis to Memphis, a boat 300 feet long and 50 feet wide, which carries freight, making a round trip every week, and it is not having any substantial difficulty. But the truth is that the modern barge line that we have operating out there and that is profitable has to go in large fleet formation. It is the big load that is profitable.

For instance, one towboat leaves St. Louis and makes the trip from St. Louis to New Orleans in six days' time and carries enough freight to load 600 freight cars with 50,000 pounds to each car, which would make 12 full trains with 50 cars to each train.

Let me digress here for just a moment, Mr. President, to say that 600 carloads of freight, with the necessary equipment, make up a solid trainload of freight 6 miles long, and yet that great tonnage can go down the Mississippi handled by one towboat.

In order to do that you have to have your towboat, that is 300 feet long, and you have to carry six barges loaded. In other words, you have a tow that is about 900 feet long.

Again, on page 11, Mr. NEWTON said:

Take the Mississippi above St. Louis, and there is a river not so hard to improve, and the engineers say it is the least expensive river in the United States to maintain. You have a 6-foot channel on probably nine-tenths of that river, and there is something about the banks and about the formation that when you get it improved it stays improved. There is not a place in the United States where there is such heavy freight as there is from Omaha and all that wheat belt trying to get down the Missouri River. For instance, in the month of August this year, when the water was low, the Government barge line, with about 50 barges, carried 1,300,000 bushels of wheat from St. Louis south. All that wheat had been shipped by rail from this vast territory down to St. Louis, loaded on the barges there, and it went on south. The differential of 20 per cent between the rail and water rate, which is the water rate, and the all-rail rate on that wheat south was $53,000 in a single month.

Again, on page 12, Mr. NEWTON says:

Now take Judge GREEN'S district in Iowa, the ninth district of Iowa; there they have to ship 400 miles by rail to St. Louis. They shipped in the last two years 29,900 tons of freight, mostly to St. Louis, by rail, and sent it on south by water, and the saving for just that district alone, one congressional district in Iowa, to those farmers was $27,827. That is the 20 per cent differential between the rail and water rates.

Now, when you take into account the fact that there is not a single district in Ohio or Illinois or Minnesota or Wisconsin or Iowa or Missouri or Nebraska or South Dakota or North Dakota—not a single congressional district, with the little puny fleet we have out there, but has shipped freight all the way by rail to St. Louis, in order to get it to go by water south, you realize that it is not a local proposition. Everybody gets the benefit of it. You not only relieve rail congestion, but bring cheaper rates and make it possible to build up the country.

Again, on page 14, Mr. Newton states:

Last year the barge line carried freight and made a profit every month in the year in which it had a channel, at a rate of 3.5 mills per ton-mile. They did that because they could put great quantities of freight together. The average rail rate of the country is 10.78 mills per ton-mile, against 3.5 mills per ton-mile on the barge line.

In other words, Mr. President, water transportation is about one-third of the cost for the low-priced farm products that can be carried on these barge lines than they must pay over the railroads. Ah, but the tragedy of it is that on that wonderful river—the Mississippi, the greatest river of all in America—the Government is experimenting to see whether transportation on our inland waterways is possible! To me it is a tragedy that with a great country like this the Government must invest in order to experiment to see whether we can carry freight on our inland waterways.

All we have to do is to stop this discrimination and capital will quickly enough invest in water craft, but as long as we have this discrimination against our rivers, who is going to invest in water craft? My God! They have destroyed all the water transportation there is. The selfishness of the railroads has destroyed practically all there is, and I will say all there is, where these violations of the fourth section have been permitted. Let us relieve the country from the most damnable outrage that has ever been perpetrated upon it. Let us go on and build this country to its fullest greatness as a Nation, which can not be done unless we permit these rivers which nature has provided for us to carry the burdens of humanity.

Ah, what a crime; what an outrageous crime! We boast here of being the greatest and most august body in the world, and I have a very high regard for this body. I know that Senators are sincere and earnest in their efforts, but I want to tell you that we will have to give more serious consideration to the transportation problem. With the great problems that come before the Senate I can well understand how Senators do not have time to dig into these great problems and understand their full import on the development of the Nation; but I want to tell you that unless we want this country to come to a standstill we will have to begin to give this question serious consideration.

On page 26 of the same report Mr. James E. Smith, of St. Louis, president of the Mississippi Valley Association, makes the following statement:

Mr. Chairman and gentlemen, the tonnage possibilities of the Missouri River as a carrier of commerce are far greater than most of you seem to realize.

A potential traffic census of the rich and fertile area traversed by this great river has been recently compiled. Taking a tier of two counties in width on both sides of the Missouri River from Pierre, S. Dak., to Kansas City, it was found that there is an enormous quantity of farm products produced close to the banks of the river which the farmers would be glad to move by their waterway were the opportunity given them to do so.

I herewith present the figures, which are taken from the 1922 Government reports. These figures show that the tonnage of farm products raised in this comparatively small area contiguous to the Missouri River amounts to 14,842,863 tons of freight per annum.

Mr. President, I have here a table showing the different classes of farm products that are grown there seeking transportation on the Missouri, which has been denied to them. Why? There is a river on which there is actual transportation, not potential, or only potential because the Government has denied the people of South Dakota and these other States water transportation by permitting the railroads at these river points to put in so low a freight rate that a river boat can not live. I ask that this table may be printed in the RECORD at this point in my remarks.

The PRESIDENT pro tempore. Without objection, it will be so ordered.

The table is as follows:

Crops in tons

	South Dakota	Iowa	Nebraska	Missouri	Kansas
Corn	1,206,939	2,449,999	2,189,999	852,147	309,687
Oats	290,331	232,749	420,805	42,514	28,127
Wheat	190,983	221,816	352,048	225,965	216,904
Barley	25,814	23,934	14,776	804	414
Rye	14,844	4,408	11,335	2,315	398
Hay	1,640,130	1,254,770	1,479,164	570,265	434,901
Potatoes	10,295	21,886	26,063	11,313	17,214
Other crops	12,766	43	2,567	134	418
Total farm crops in tons					14,842,863

Mr. GOODING. Mr. Smith goes on to say:

Please note that the great possible volume of tonnage available on the 400-mile stretch of the Missouri River between Kansas City and St. Louis is not included in the figures named.

Why, gentlemen, even one-half of this tonnage alone would keep numerous fleets of boats and barges busily employed in rendering valuable service to the producers, who would be greatly benefited by obtaining it, and add to that enormous tonnage that would be sent from the hinterland further removed from the river, and you would have in operation one of the greatest highways of cheap transportation the world will ever create or obtain.

There is no question of doubt about that, because you can go on and on with the Missouri clear up into Montana, and with it all you can develop electric power which will pay for all the cost of development.

Mr. President, I send to the desk a statement made by Mr. Campbell, member of the Interstate Commerce Commission, and also a letter received and handed me by Mr. James A. Ford, written by Mr. W. J. Spillman, United States agricultural economist. I ask that these two be read from the desk.

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

The legislative clerk read as follows:

The following is copied from a statement made by Commissioner Campbell, of the Interstate Commerce Commission, before the Committee on Interstate and Foreign Commerce of the House when hearings were held on S. 2327:

"In Railroad Commission of Nevada *v.* S. P. Ry. Co. (21 I. C. C. 329, at p. 351) it stated:

"'We have thus traced the history of this protracted struggle between the ocean and the land carriers that we might clearly appreciate the strategy of the railroads and its effect upon the ocean-borne traffic. One water route after another has been rendered innocuous. To meet the competition of the railroad the tendency of the ocean carriers has been to shorten the time consumed in passing by water from coast to coast. The clipper ship has been forced to give way to the steamship and the steamship has been compelled to transship by rail a portion of the distance. The routes by way of Cape Horn and the Straits of Magellan have been virtually abandoned. For nearly 40 years the Panama Canal has been under railroad control. When an attempt was made to reestablish this route as a vital competitor the railroads used their own ocean-and-rail line to eliminate it from the field.' * * *

"And again, in fourth section, Violations in the Southeast (30 I. C. C. 153, at p. 262), the commission said:

"'It can not, therefore, be asserted that there is any actual active water competition existing at present between New York and Memphis. There is a disconnected service between New Orleans and Memphis, regular boats plying between Natchez and Vicksburg and Memphis. The water competition is to be regarded as potential, but not actual, and the testimony in this case indicates that any material advance in the rates from New York City to Memphis would without doubt result in the reestablishment of active competition on the Mississippi River.'

"From the above it is apparent that the commission has been aware of the effect which the rate structure as maintained under fourth-section relief has had upon transportation by water, and that the rate structure as so maintained has been detrimental to any effort to build up transportation over our waterways."

UNITED STATES DEPARTMENT OF AGRICULTURE,
BUREAU OF AGRICULTURAL ECONOMICS,
Washington, January 28, 1925.

Mr. J. A. FORD,
Secretary Chamber of Commerce, Spokane, Wash.
(Temporary Address: Raleigh Hotel, Washington, D. C.)

DEAR MR. FORD: Referring to our recent conversation, the situation in the Spokane territory with regard to the agricultural and industrial development, as I see it, is as follows:

Farming in that country, or at least a large part of it, was in the early days merely a matter of growing wheat mainly for the export trade, and agriculture of this kind depends very little upon local industrial development, for it produces little to supply a local industrial population.

In recent years farmers generally in the wheat-growing territory of the upper Columbia Basin have begun to realize that a single-crop system of wheat growing is reducing the fertility of their lands, and they have begun to diversify their farming. In fact, the movement toward a general diversified system of farming is now well in progress in that region.

This change in the agricultural situation has made a marked change in the relation of the local farming to the local industrial population. Farmers are now producing considerable quantities and will undoubtedly produce more in the future than they are producing now of beef cattle, hogs, dairy products, sheep and wool, poultry products, peas, beans, and all the various kinds of fruit and vegetables. This makes it essential to the welfare of agriculture in that region that there be a growing industrial population in the region to consume the products of this diversified agriculture, for many of the products of such farming meet such severe competition in distant markets and are often compelled to pay such high cost of transportation that real diversified farming is hardly possible without corresponding development in local industries that will provide a means of livelihood for an industrial population.

I placed particular emphasis on this phase of the question in my address to the chamber of commerce in Spokane last October. I pointed out to the members that for many years they had been encouraging the movement for diversified farming in their region; that this movement had now gained very material headway.

I pointed out to them the need for a rapid increase in the local industrial population to consume the products of the diversified agriculture. I went so far as to predict that the agriculture of that region would be hampered in its development unless this industrial development went forward concurrently with a new agricultural development.

You will see, therefore, that I believe that anything that will tend toward industrial development in the region of Spokane will result in great benefit to the farmers of the region.

Very truly yours,

W. J. SPILLMAN,
Agricultural Economist.

Mr. GOODING. Mr. President, while the railroads have been fighting for a monopoly of transportation——

Mr. McNARY. Mr. President——

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

Mr. GOODING. I do.

Mr. McNARY. This is a very important part of the Senator's discussion, and I suggest the absence of a quorum.

Mr. GOODING. I doubt the wisdom of that, Mr. President. The Senators will not remain here when they come in. They never do, and I had hoped that the Senator would not make that suggestion.

Mr. McNARY. I have made it.

The PRESIDENT pro tempore. The absence of a quorum is suggested. The Secretary will call the roll.

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

Ashurst	Fernald	King	Shipstead
Ball	Ferris	Ladd	Shortridge
Bayard	Fess	Lenroot	Simmons
Bingham	Fletcher	McKellar	Smith
Borah	Frazier	McNary	Smoot
Broussard	George	Mayfield	Spencer
Bruce	Gerry	Metcalf	Stanfield
Bursum	Glass	Moses	Stephens
Butler	Gooding	Norbeck	Sterling
Cameron	Hale	Oddie	Swanson
Capper	Harreld	Overman	Trammell
Caraway	Harris	Pepper	Underwood
Copeland	Harrison	Phipps	Wadsworth
Couzens	Heflin	Pittman	Walsh, Mass.
Cummins	Howell	Ralston	Walsh, Mont.
Curtis	Johnson, Minn.	Ransdell	Warren
Dial	Jones, N. Mex.	Reed, Mo.	Watson
Dill	Jones, Wash.	Reed, Pa.	Weller
Edge	Kendrick	Robinson	Wheeler
Ernst	Keyes	Sheppard	Willis

Mr. JONES of Washington. I desire to announce that the Senator from Nebraska [Mr. NORRIS] and the Senator from Iowa [Mr. BROOKHART] are detained from the Senate in attendance on a session of the Committee on Agriculture and Forestry.

The PRESIDENT pro tempore. Eighty Senators have answered to the roll call. There is a quorum present.

Mr. GOODING. Mr. President, while the railroads have been fighting for a monopoly of transportation, and have succeeded in securing that monopoly, with the assistance of our own Government, they have not kept pace with the growth and development of this country.

I have a table here that shows the increased tonnage on our railroads from 1890 to 1923, a period of 33 years. This table is so interesting that I am going to take the time of the Senate to read it into the RECORD:

Ton-miles, all railroads

1890	76,207,047,000
1891	81,073,784,000
1892	88,241,050,000
1893	93,588,112,000
1894	80,335,105,000
1895	85,227,516,000
1896	95,328,360,000
1897	95,139,022,000
1898	114,077,576,000
1899	123,667,257,000
Total	932,884,829,000
1900	141,596,551,000
1901	147,077,136,000
1902	157,289,370,000
1903	173,221,279,000
1904	174,522,090,000
1905	186,463,110,000
1906	215,877,551,000
1907	236,601,390,000
1908	218,381,555,000
1909	218,802,987,000
Total	1,869,833,019,000
1910	255,016,910,000
1911	253,783,702,000
1912	264,080,745,000
1913	301,730,291,000
1914	288,637,042,000
1915	277,134,816,000
1916	366,173,174,000
1917	398,263,062,000

Ton-miles, all railroads—Continued

1918	408,778,061,000
1919	367,161,371,000
1920	413,698,749,000
1921	309,533,365,000
Total	3,913,991,288,000
1922	339,945,894,000
1923	413,562,132,000

In 1890 the railroads handled in round numbers 76,000,000,000 ton-miles. In other words, all the railroads in the United States hauled a ton of freight 76,000,000,000 miles, or they hauled 76,000,000,000 tons of freight 1 mile. From 1889 to 1901, a period of 11 years, the ton-miles hauled by our railroads had increased to 147,000,000,000 ton-miles, or an increase of almost 100 per cent. From 1901 to 1913, a period of 12 years, the ton-miles hauled over our railroads had increased to 301,000,000,000 ton-miles, or a little over 100 per cent of an increase from 1901 to 1913.

From 1913 to 1923 the ton-miles handled by our railroads had increased to 413,000,000,000 ton-miles of freight, an increase for those 10 years of 37 per cent, and for the months of January and February of this year, I understand, the railroads show an increase as compared with January and February of 1923.

The increase of ton-miles of freight hauled by our railroads in 1923 was 443 per cent over 1890, when the railroads, as I have shown, hauled 76,000,000,000 ton-miles of freight. The increase from 1913 to 1923 of 112,000,000,000 ton-miles of freight is practically equal to that total tonnage of all the railroads in the United States in 1898, when the railroads for that year hauled 114,000,000,000 ton-miles.

This table shows that in 33 years traffic on our railroads in this country has increased 443 per cent. I also have another table, Mr. President, that I wish to read into the RECORD, showing the increase in the mileage of railroad tracks for the same period.

Number of miles of railroad operated

Year	First track	Other main tracks	Yard track and sidings	Total
1890	156,404	9,760	33,711	199,875
1891	161,275	10,428	35,742	207,446
1892	162,397	10,846	37,807	211,050
1893	169,779	11,632	40,451	221,862
1894	175,690	12,163	41,941	229,794
1895	177,746	12,348	43,181	233,275
1896	181,982	12,439	44,717	239,138
1897	183,284	12,794	45,934	242,012
1898	184,648	13,096	47,589	245,333
1899	187,534	13,384	49,223	250,141
1900	192,556	14,075	52,153	258,784
Increase 1900 over 1890	35,152	4,315	18,442	58,909
1900	192,556	14,075	52,153	258,784
1901	195,561	14,875	54,914	265,350
1902	200,154	15,819	58,220	274,193
1903	205,313	16,947	61,560	283,820
1904	212,243	18,337	66,492	297,072
1905	216,973	19,881	69,941	306,793
1906	222,340	20,981	73,760	317,085
1907	227,454	22,770	77,749	327,977
1908	230,494	23,699	79,452	333,645
1909	235,402	24,572	82,376	342,350
1910	240,830	25,353	85,581	351,764
1911	246,238	27,612	88,973	362,823
1912	249,852	29,366	92,019	371,237
Increase 1912 over 1900	47,296	15,291	39,866	112,453
1912	249,852	29,366	92,019	371,237
1913	253,470	30,826	95,211	379,507
1914	256,547	32,376	98,285	387,208
1915	257,569	33,662	99,910	391,141
1916	259,705	34,325	102,983	397,013
1917	259,705	35,065	105,582	400,252
1918	258,506	36,228	107,608	402,342
1919	258,524	36,729	108,636	403,889
1920	259,941	36,894	109,744	406,579
1921	258,361	37,613	111,555	407,529
1922	257,834	37,888	113,994	409,716
1923 (estimated)				410,716
Increase 1922 over 1912	7,982	8,522	21,975	39,479

This table shows that while the tonnage on our railroads has increased 443 per cent, the total mileage of tracks for all purposes has only increased 106 per cent. At the same time, Mr. President, in the last 20 years transportation by truck has developed in this country until it is said that 50 per cent as many tons of freight move by truck as by the railroads.

If it had not been for the truck becoming a mighty factor in the transportation of this country, our railroads would have broken down long ago, so it seems to me, Mr. President, unless we want to see the industries of this country paralyzed from a lack of adequate transportation, something must be done to relieve the congested condition of the vast majority of our Class A railroads in this country.

Since I have been in the United States Senate eastern railroads have placed an embargo on eastbound fruit from the West, and it was only raised after a vigorous protest by western Senators to the Interstate Commerce Commission.

Railroads have their limitations, as well as everything else in this life, and many of the great railroads to-day have more tonnage than can be handled economically, and that is especially true during the movement of farm products to market in the fall of the year.

It seems to me it must be clear to every Senator that a most dangerous condition confronts this country to-day in the matter of transportation. That our railroads, through the assistance of the Interstate Commerce Commission, have destroyed water transportation on our inland rivers and impaired our coastwise shipping there is no doubt in the minds of those who have given transportation in this country serious consideration.

This discrimination against the interior will continue just as long as Congress permits the Interstate Commerce Commission and the railroads to go on with their work of destruction, and it remains for Congress to say whether their work of destruction and discrimination shall continue in the future as it has in the past.

Years ago, Mr. President, Congress passed legislation forbidding the railroads to discriminate by rebating to favored shippers. This amendment provides that in the future there shall be no discrimination extended to one part of the country over another as far as freight rates are concerned to destroy water transportation.

What this amendment asks for is a square deal in freight rates for all American citizens regardless of whether they live in the East or the West, the North or the South, or in a great city, or in the smallest hamlet in America.

Mr. President, it is not strange that the coast cities and cities that have water transportation on our inland rivers should want cheaper freight rates than the interior. I am sure every city in America would be fighting for cheaper freight rates than their neighbors if they thought it was possible to secure that discrimination. That is the selfishness that is inherent in humanity; nor is it strange the railroads should want to destroy water transportation so they can have a monopoly of freight rates.

That is to be expected, Mr. President, but it is the duty of Congress to see that the selfish interest in the country does not get all it asks for, and it is the duty of Congress to legislate so there will not be any discrimination in freight rates for the benefit of one locality as against another.

Mr. President, I am sure there is not a single Senator upon this floor who would be willing to see the community in which he lives discriminated against in freight rates in favor of some other city, and I care not where that city is located.

Senate bill 2327 was not a rate-making bill, nor does the amendment I am offering to the river and harbor bill fix freight rates. It merely fixes the principle of transportation. Like legislation that was passed to stop rebates it merely provides that in the future the Interstate Commerce Commission shall not grant the railroads any new violations of the fourth section of the interstate commerce act to destroy water transportation.

A governmental policy that permits discrimination in freight rates against towns, cities, and States, Mr. President, is more vicious than discrimination in freight rates against individuals by rebating to favored shippers, which was the policy of the railroads before it was stopped by Congress; for discrimination in freight rates against towns, cities, and States paralyzes the whole Commonwealth and retards its growth and development, and such a policy is un-American and can not be defended fairly or justly under the principles of our Constitution, that pledges equity and justice to the smallest hamlet in America.

Mr. President, Congress might just as well pass legislation denying the interior the right to develop its natural resources as to permit the railroads to violate the fourth section of the interstate commerce act by charging more for the shorter haul than for the longer haul, for capital will never invest where there is discrimination in freight rates.

The policy of our Government in permitting railroads to discriminate in freight rates against the interior in favor of cities that have water transportation is the same policy adopted by England toward the Colonies. For more than a hundred years before the Revolutionary War the Colonies were only permitted to till the soil and furnish raw material for British manufacture, but beyond that they were forbidden to go.

William Pitt, a friend of America, declared in the British Parliament that the American Colonies had not even the right to manufacture a horseshoe nail except by permission of the British Government. As early as 1699 the British Government, on the complaint of manufacturers, prohibited the American Colonies from exporting any wool, woolen yarns, or cloth to any country other than England.

On another occasion Lord Chatham said in the British Parliament that he would not have the American colonists make a hobnail; and another noble lord added, nor a razor to shave their own beards.

In 1730 the British Parliament passed an act which provided that iron should be admitted to Great Britain without duty, but prohibited the erection in the Colonies of rolling mills or steel furnaces; such establishments that were already in operation, however, were allowed to continue.

Mr. President, the Colonies knew and understood that England's policy, which denied them the right to turn their raw material into the finished product, meant enforced servitude, and that without an opportunity to manufacture their raw material into the finished product this country would be forced to remain agricultural and pastoral.

The tea party in the Boston Harbor was but an incident that led up to the Revolutionary War. It was the tyranny and oppression of England for more than a hundred years that denied the Colonies the right to develop the mighty resources of this country that brought on the Revolutionary War.

Mr. President, it seems to me it is not necessary to argue with Senators on the floor of the Senate that no industry, city, or State can grow and develop its resources under a discrimination in freight rates. I am sure that principle is thoroughly understood by every Senator; nor can any State in the Union develop its resources even under a threatened discrimination in freight rates, and Congress should give the country a definite policy, once and for all, as far as freight rates are concerned, for until such a policy is adopted the interior States of the Union must remain agricultural and pastoral.

Mr. President, the violation of the fourth section of the interstate commerce act, which permits the railroads to charge more for the shorter haul than for the longer haul, has done much to destroy the confidence of many of the people of my State in their Government.

We can not explain to the farmer in my State why the coast cities that are from 500 to 1,000 miles farther west should be given a cheaper freight rate from eastern points than they are forced to pay, and I am equally sure we can not explain to the people of the States of Iowa, Kansas, Minnesota, and the Dakotas why the people of their States should be forced to pay a higher freight rate than the people who live on the Pacific coast, where the haul in some cases is 1,500 miles farther west. Many of the farmers in my State believe the railroads are stronger than the Government itself, and when I see what the railroads are able to do I am sometimes afraid that is true; and if there are any Bolsheviks and anarchists in the State of Idaho, the discrimination in freight rates the Government has forced upon my State is, in a large measure, responsible for them.

Mr. President, Congress can not shift the responsibility for the destruction of water transportation on our inland rivers in this country and the impairment of our coastwise shipping to the Interstate Commerce Commission or to the railroads, for few, if any, public questions have been discussed in Congress as much as the destruction of our inland waterways through permitting the railroads to charge more for the shorter haul than for the longer haul to destroy water transportation.

Many bills have been introduced in Congress that have denied the Interstate Commerce Commission the right to permit the railroads to charge more for the shorter than for the longer haul, but amendments have always been made to that legislation that destroyed its usefulness as far as protecting water transportation in this country.

The Interstate Commerce Commission has continued to permit violations of the fourth section of the interstate commerce act in the West and the South, and in many cases where there was only potential water transportation, until practically every boat has been driven off the rivers.

For the first time, after a struggle of nearly half a century, the Senate, in the first half of this session, passed an absolute fourth section bill, which denies to the Interstate Commerce Commission the right to permit the railroads to charge more for the shorter haul than for the longer haul for the same class of freight moving in the same direction to destroy water competition.

But unless the amendment I am offering to the river and harbor bill can become a law at this session of Congress the West and the South will be forced to continue their fight for a square deal in freight rates, and the next session of Congress will see other bills introduced to give the South and the West a square deal in freight rates.

Mr. President, no country on earth is blessed with more great rivers than America. They should become a mighty factor in the commerce of this Nation. They were a mighty factor at one time in the commerce of this country, before they were destroyed by the selfish interests of the railroads. Time was when practically all of the commerce of this country was carried on our inland rivers through canals.

In the early history of the country water transportation on our inland rivers was the life of the Nation itself, and it can be made a mighty factor in the life of the Nation again if the Government will not assist the railroads in destroying the usefulness of our rivers.

Mr. President, I believe the improvement of our inland waterways is vastly more important to this country to-day than any other public question before the American people. The canalization of our rivers, the building of reservoirs to store the flood water, and the building of dams for the purpose of improving navigation on the rivers not only means providing cheap water transportation to carry our low-priced farm products and our low-priced basic materials to market, but at the same time will make possible the development of millions of electric horsepower that will more than repay the Government for the expense of improving our rivers, and at the same time will make possible flood control, that only too often leaves wreck and ruin in its pathway.

In my own State, when the American Falls reservoir, which is under construction at the present time, is finished it will control the peak of the flood waters of the Snake River. Snake River is the largest branch of the Columbia River, the third largest river in America.

My home in Idaho is on a river which has a storage reservoir for holding water for irrigation purposes. On this irrigation project there is something like 90,000 acres that was once desert land. That reservoir most years holds the entire flow of that river, and it is only about one year in three that water flows over its spillway. It has been clearly demonstrated that it is not difficult to build storage reservoirs to hold the flood water of the rivers in our Western States.

So I am satisfied the building of storage reservoirs at the heads of all our great rivers will make possible flood control in every part of the country, which will do much to improve our inland waterways and at the same time give a steadier flow of water in our rivers for the generation of hydroelectric power.

Mr. President, the violation of the fourth section of the interstate commerce act, that forces the people of one community to pay a higher frieght rate for the shorter haul than the people of another community served with a longer haul are forced to pay, is, in my judgment, a violation of the spirit of the Constitution, that guarantees to the humblest citizen in America equal rights and justice, and as a Senator of the United States I shall never ask this Senate to give to the people of my State that which I would not be willing to give to the people of every other State in the Union.

I am sure there is not a Member of the Senate who would submit to the outrageous discrimination in freight rates that have been forced upon the people of my State and other interior States of the West by our own Government.

Mr. President, every Senator knows and understands that this is the age of organization and combination; that capital and labor are thoroughly organized and that practically every industry in America is organized. One of the greatest combinations of all is the railroad organization—all powerful, and wielding a mighty influence in the affairs of this Government.

It is not strange, Mr. President, that every industry in America should be fighting to become a monopoly; nor is it strange that the railroads should be fighting to acquire a monopoly of transportation. Monopolies are very convenient things to have for those who are interested in their organization. I am not opposed to monopolies, Mr. President, if we can have an honest, fearless, regulation of monopolies, but without such regulation, when monopolies become so strong that they regulate the Government, instead of being regulated by the Government, they become dangerous to society.

Mr. President, I now want to direct my attention to the argument advanced by the transcontinental railroads why they should be permitted to charge more for the shorter haul than for the longer haul in order to destroy water transportation. The railroads say, first, that unless they can secure at least half of the freight that is now passing through the Panama Canal their prosperity will be seriously impaired; and, second, they say unless these violations are permitted they will be forced to haul empty cars westbound in order to take care of the eastbound traffic.

The transcontinental railroads now have an application before the Interstate Commerce Commission for the violation of the fourth section of the interstate commerce act as to 47 different commodities, on which they are asking for a reduction in freight rates from Chicago to Pacific coast points of from 20 to 66 per cent. No reduction is asked for in rates to the interior points between Chicago and the Pacific coast points. If that application is allowed by the Interstate Commerce Commission, which is to be expected, unless my amendment to the Cape Cod bill shall be accepted and become a law, the transcontinental railroads will not only take a half of all the competitive traffic through the Panama Canal, but they will take most of it and drive many of the coastwise vessels out of business. Mr. President, it is readily understandable that it is an easy thing to destroy water transportation when the railroads are permitted to maintain a higher freight rate in the interior to make good any loss on the lower freight rates that are given to the railroads by our own Government in order to enable them to destroy water transportation.

Surely, Mr. President, it is a simple method. It is not difficult for anyone to understand the effect when our own Government forces upon the people of one community a higher freight rate than that enjoyed by the people of another community, all for the purpose of reimbursing the railroads for their losses on the longer haul so that they may succeed in destroying water transportation. It is a simple device, Mr. President, which any school boy can understand. How long, I ask, is this work of destruction, this work of discrimination, this work of destroying the citizenship of America to be continued? Talk about the tyranny of Great Britain in the past; it is no worse than the present tyranny of our own Government. No wonder we have Bolshevists and anarchists in America. History teaches us that the destruction of one government after another has been brought about by the ascendency of selfish interests. That is what makes anarchy; that is what destroys governments; that is all and nothing more. Invading armies, Mr. President, are not half so dangerous to a government as are its selfish interests, and when a government ceases to be sufficiently strong to control its selfish interests, history teaches us that it stumbles and falls. We have a living example of that fact in Russia to-day, where everything that is worth living for has been destroyed—womanhood, motherhood, and Christianity—without which no government can long endure or civilization exist.

Mr. President, freight rates are taxes which the people must pay for the use of the railroads. When the Government levies a tax upon the people or authorizes a corporation to levy a tax upon the people it should be a fair tax, a just tax, a tax without discrimination. Why our own Government should force the people of the interior to pay a higher freight rate than that paid by those who are blessed with water transportation is hard for me to understand. In my judgment it can only be branded as tyranny and oppression on the part of our Government, and if long continued will create preudice against and prove dangerous to the Government itself, for the people of the West have grown very bitter over the discrimination in freight rates that has been forced upon them by their own Government.

I wish to say, Mr. President, that for nearly 50 years the people of the West have been battling against this discrimination; for 50 years the people of the West have been asking for justice, and yet there has been given to them only violation after violation of the law governing freight rates, until they have practically no opportunity to be anything except farming communities. All that we ask for in the West is a place in the sun, a place in this great country of ours, an opportunity to help make it a bigger and better country, and to enjoy the same rights and the same privileges that other citizens enjoy. That is all we ask; we ask only for a square deal from our own Government; and we are going to have it. It makes no difference how long the fight may be continued; we are going to win. I have only contempt for the man who has any red blood in his veins who is willing to accept anything less from this Government than the Government gives to other citizens in other sections of the country. He would not be fit to represent his people anywhere, not even at a dog fight, to say nothing about representing them in the United States Senate, the greatest legislative body in the world. A square deal is all we are fighting for.

Now, Mr. President, I wish to discuss the tonnage that is going through the Panama Canal which the railroads want to take away from the coastwise vessels.

When the Panama Canal was built the people of the West rejoiced. We held celebrations all over the West, for we believed the time had come when we were to be relieved from unreasonable freight rates; but to-day, Mr. President, the Panama Canal hangs as a nightmare over the people of the interior States of the West, for they know and understand that unless the Interstate Commerce Commission shall be denied the right to destroy the Panama Canal, it will be destroyed, so far as the coastwise shipping through the Panama Canal is concerned, in the interest of the transcontinental railroads of the country.

With reference to the comparatively small tonnage passing through the Panama Canal which these great, greedy, grinding railroad corporations are seeking to grab, let me say that I find in the year 1923 there passed through the Panama Canal in coastwise traffic 12,377,375 gross tons of freight of all kinds. Of this, 7,436,248 tons constituted eastbound tanker oil, recognized as noncompetitive freight that the railroads could not carry under any circumstances. Most of this tanker oil is produced along the coast of California, where it is pumped direct into tanker oil vessels, and it can be readily understood, therefore, that this freight is noncompetitive. This leaves 4,941,127 gross tons of merchandise of all kinds, eastbound and westbound, for which the western roads might compete.

Changing the ship ton of 2,240 pounds to a railroad ton of 2,000 pounds for comparison, we have a railroad tonnage that is now passing through the Panama Canal coastwise of 5,534,062 tons. I make the statement, Mr. President, that if this tonnage were distributed equally among the railroads it would take a microscope to find it at the end of the year's business, for it is less than 1 per cent; to be exact, it is eighty-five one-hundredths of 1 per cent of the total tonnage of the Class I railroads of the western division of the United States.

Senators will please bear in mind that the total tonnage through the Panama Canal, if the railroads should receive it all, is only 5,534,062 tons. The contention of the railroads in this respect is so absurd and far-fetched that it seems to me that it should be clear to ever Senator and everyone else in America who has given this subject any consideration that the only purpose of the violation of the fourth section of the interstate commerce act is to meet the competition through the Panama Canal and to destroy transportation through that canal; and that is what it will do unless my amendment shall be permitted to become a law, for, as I have already said, the railroads are asking to be permitted to violate the fourth section of the interstate commerce act as to 47 different commodities by reducing rates to the coast from 20 to 66 per cent without giving any reduction to the interior. The commission will permit that violation, in my judgment, unless it shall be stopped by Congress. Congress must answer that question, and must answer it to the West. Congress has the opportunity and if it shall fail to embrace it I want to tell you, Mr. President, that the people of the West who have been suffering are going to lose confidence in this august body. This struggle has been going on for almost half a century, and it has been long, bitter, and severe; but, with the exception of what little traffic is passing through the Panama Canal and what water transportation is handled on our rivers east of Chicago and the Great Lakes, the victory of the railroads is almost complete. Of course they are fighting Senate bill 2327; it was to be expected that they would fight that bill because they understand that if it shall become a law it is going to make possible and successful transportation through the Panama Canal and also commerce on our inland waterways.

Mr. President, the fight against the Panama Canal is but a camouflage, and it is so ridiculous that you wonder that men of ordinary common sense would advance it as an argument for the violation of the interstate commerce act.

The question can properly be asked, "Has this measly little 5,000,000 tons of freight through the Panama Canal impaired the great transcontinental railroads and reduced their tonnage in the last few years?"

I have here a table showing the tonnage on our transcontinental railroads. It is very interesting. This is a little pamphlet put out by the Intermediate Rate Association of the interior States of the West which are members of this association, and have been fighting for many years—leading the fight, I may say—in the interest of a square deal in freight

rates. They have put up a wonderful fight, and they are going on with this fight; it does not make any difference how long it takes. This organization is made up of commercial clubs, farm organizations, and the biggest business interests in the West, men who are trying to develop the West. I want to show, Mr. President, the traffic on the western transcontinental railroads and then ask that this pamphlet be printed in the RECORD.

In 1921 I find that the Northern Pacific handled 17,000,000 tons of freight. I will just read the first figures, so as not to take up too much time. In 1922 it had increased to 21,000,000 tons. In 1923 it had increased to 24,000,000 tons, showing an increase in two years of 7,000,000 tons. So I submit, Mr. President, that as far as the Northern Pacific is concerned the tonnage through the Panama Canal has not impaired its earnings.

The Great Northern in 1921 handled 19,000,000 tons, in 1922 it handled 27,000,000 tons, in 1923 36,000,000 tons—an increase in two years of 16,000,000 tons. The prosperity of the Great Northern was not impaired by what little traffic is going through the Panama Canal.

The Chicago, Milwaukee & St. Paul in 1921 handled 34,000,000 tons, in 1922 42,000,000 tons, in 1923 51,000,000 tons—an increase in two years of 17,000,000, over three times as much as all the competitive intercostal tonnage passing through the Panama Canal. Yet these selfish railroads would destroy, if it were possible, what is to my mind one of the greatest engineering feats and one of the greatest blessings that has come to America. In fact, Jim Hill, the builder of the Great Northern, used to say that the railroads would make pond lilies grow in the Panama Canal before they got through with their fight. Another time he said that the clock had struck 12 as far as water transportation was concerned in America.

Mr. President, two years ago I attended a meeting at Salt Lake City, at which the general freight agents of the western transcontinental roads were present, with the officers and some of the members of the Intermediate Rate Association. Mr. Blakeley, the general freight agent for the Northern Pacific, made the statement in my presence that the building of the Panama Canal was a mistake as far as the West was concerned, and that we would all be better off if it were filled up. Let me say that all the general freight agents of the western transcontinental railroads who were there, with one exception, agreed with Mr. Blakeley. I branded Mr. Blakeley's statement as un-American, almost treason against the Government. The Panama Canal is a mighty factor in the defense of the country, and if we are going to be a country and have a country which is to endure the Panama Canal must be made a factor in lightening the burdens of humanity and giving us cheaper transportation between the great West and the great East. Talk about tyranny! Talk about treason! If that is not bordering on treason, I do not know what treason is.

The Union Pacific in 1921 hauled 28,000,000 tons of freight; in 1922 it hauled 30,000,000 tons of freight; in 1923 it hauled 34,000,000 tons of freight. So it seems that the Union Pacific's earnings were not impaired. They, too, increased their tonnage in two years by an amount equal to all the intercoastal tonnage passing through the Panama Canal.

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

Mr. GOODING. Yes.

Mr. KING. Is it not a fact that the railroads now because of the increased tonnage in many sections are unable to handle it properly?

Mr. GOODING. There is not any doubt about it.

Mr. KING. And that with the increase of from 12 to 17 per cent every 10 years, and in some sections an increase much greater than that, it is certain——

Mr. GOODING. Ten years? Let me say to the Senator that the average so far up to the present time has been a doubling every 12 years.

Mr. KING. With that increase is it not certain that they must increase their facilities for handling the freight or the business will be arrested and almost an industrial paralysis will occur?

Mr. GOODING. Why, the growth of the whole country must come to a standstill; and everyone knows that there are not going to be any new railroads built. They have been fighting for a monopoly. The capitalists that control the great railroads—the biggest monopoly that the world has ever known—are not going to permit any new railroads to be built in America. Let us make no mistake about that. They are thoroughly organized; and, in fact, there is less mileage of railroads in America to-day than there was five years ago as far as main-line tracks are concerned. There is a little increase when you take the sidings, the yardage, and all those things which they have had to lengthen in order to carry the trains that they pull to-day, but as far as main-line tracks are concerned there is less mileage in this country to-day than there was four or five years ago.

Mr. KING. The mileage was 280,000 at the beginning of the war, and it is less than that now.

Mr. GOODING. The Spokane, Portland & Seattle, a small railroad, handled in 1921, 1,500,000 tons. In 1923 it handled 2,000,000 tons.

The Southern Pacific handled 24,000,000 tons in 1921, 28,000,000 tons in 1922, and 35,000,000 tons in 1923. The Southern Pacific, competing directly with the Panama Canal, shows in the last two years an increased tonnage alone twice as great as all the coastwise traffic through the Panama Canal, their competitor. Are we going to permit that to continue? It is up to this body now to say whether the business that is passing through the Panama Canal shall be crippled and destroyed and turned over to the railroads that are already congested, which already have more freight than they can handle on their tracks.

The Santa Fe, another great railroad system, handled 23,000,000 tons in 1921; in 1922 they handled 28,000,000 tons, in 1923 33,000,000 tons, doubling the traffic through the Panama Canal three times over in two short years. God Almighty! The West has not started to grow. It has not started to develop its resources. But it will grow and develop if you will give it a chance.

The Los Angeles & Salt Lake handled 3,000,000 tons in 1921, 4,500,000 tons in 1922, and 5,000,000 tons in 1923.

The Western Pacific handled 1,700,000 tons in 1921, 2,000,000 tons in 1922, and 2,800,000 tons in 1923.

This shows an increase for all the railroads which might be said to come into competition with the Panama Canal in the last two years of 70,000,000 tons of freight. Compare that increase with the little, measly 5,000,000 tons that is going through the Panama Canal, as to which they say that they can not exist unless they grab it and take it away. What an outrage! What a crime!

Mr. President, I ask that this pamphlet be printed at this point in my remarks.

The PRESIDING OFFICER (Mr. WILLIS in the chair). Without objection, it is so ordered.

The pamphlet is as follows:

GREEN GOGGLES

"Alms, alms, for the love of Allah, alms."

The white whiskered old beggar, wearing green goggles and holding a tin cup in his hand, drooped pathetically on the street corner. The Good Samaritan with a sense of humor noticed the yellow stain in the center of the flowing white beard.

"Well, my good man, I'm glad to see that you had eggs for breakfast this morning," he remarked as he dropped a coin in the cup.

"No, sir;" replied the patriarch, "I didn't have eggs this morning. I had eggs yesterday morning."

Things are sometimes not what they seem.

The manager of a large corporation told his board of directors he had a grand scheme to increase the business of the concern one-half of 1 per cent, and that unless they followed his plan the company would go on the rocks.

The directors were skeptical. They couldn't understand how an increase in business of less than 1 per cent could save a company if it were really in bad shape. However, as long as the manager promised increased business, even though very insignificant, they told him to proceed.

He then advised the board that the additional business would have to be done at cost, without any profit whatever.

The coroner refused to hold the directors responsible and pronounced it a plain case of suicide.

Yet this fellow had a much more sensible proposition than the one the western railroads are now offering in their claim that they must be permitted to take some of the traffic that is going by boat through the Panama Canal and haul it at "out of pocket cost," or they can not continue to do business at a profit.

This hard-times plea of the western railroads in the face of rapidly ascending stock values calls for some explanation. In the year 1923 there passed through the Panama Canal 12,377,375 gross tons of freight of all kinds. Of this, 7,436,248 tons was eastbound tanker oil tonnage, recognized as noncompetitive.

By the process of subtraction we have left 4,941,127 gross tons of merchandise of all kinds, both eastbound and westbound, for which the western transcontinental railroads might compete. However, for comparison with railroad figures it is necessary to change these figures from gross tons of 2,240 pounds each to net tons of 2,000 pounds each, as railroad tonnage is given the latter way. We find that 4,941,127 gross tons is equal to 5,534,062 net tons.

The problem may now be stated thus:

In 1923 there passed through the Panama Canal 5,534,062 tons of merchandise freight.

The western railroads either want to take all of it or they want to take a part of it. They say they want to take only a part of it.

However, in order to make the best possible showing as to what increase this would make in the tonnage of the western railroads let us assume the railroads would get every pound of it.

The Class I roads of the western division of the United States during 1923 hauled 643,603,000 tons of freight. Consequently if they secured every pound of merchandise freight that went through the Panama Canal last year they would increase their gross tonnage less than 1 per cent, or, to be exact, eighty-five one-hundredths of 1 per cent.

And then they say they must have this measly little additional freight to haul at cost or they can not stay in business at a profit.

But the western railroads will say this is not a fair statement, because the tonnage figures for Class I roads in the western division include many roads which do not reach the Pacific coast terminals and which, consequently, could not haul this merchandise to destination. The comparison is fair, however, because roads like the Burlington and Denver & Rio Grande, which do not reach Pacific coast tidewater, still would share in the distribution of the business now going through the canal, even though they could not deliver it to destination. They would secure a large share of the haul of much of the additional tonnage.

Nevertheless, we'll proceed to eliminate every road that does not reach Pacific coast tidewater and ascertain the result. This is shown in the table below.

In this table we have also eliminated the Canadian Pacific, which reaches Puget Sound ports over its own line, the Spokane & International, and so would take a share in any general increase.

Yet after all these eliminations and holding the figures down merely to the American roads that reach Pacific coast tidewater we find that the increase in tonnage in one year of these roads alone is 38,600,000 tons or practically seven times the total tonnage that goes through the Panama Canal.

Now, if by some process of governmental sanction which these western railroads are seeking every pound of freight that went through the Panama Canal last year both eastbound and westbound was handed over to these roads alone they would increase their gross tonnage just 2½ per cent, and the Panama Canal would lie idle and useless.

Bear in mind that the railroads want to haul this increased tonnage at cost in order to insure the boats not coming back and taking it. But the railroads are confining their efforts entirely to the westbound tonnage—not the eastbound tonnage. It's the westbound tonnage they want. Very well.

Of the total tonnage of the Panama Canal last year 3,095,738 tons were westbound. If these same Pacific coast terminal railroads got all the westbound tonnage that went through the canal last year they would increase their gross business less than 1½ per cent—and don't forget they want to do the additional business at cost.

The railroads to-day have an application before the Interstate Commerce Commission, covering 47 commodities seeking permission to grab some of the traffic now going westbound through the canal. These 47 commodities represent only 70 per cent of the westbound tonnage of the canal and the railroad officials on the witness stand before the Interstate Commerce Commission testified they only wanted to get about 50 per cent of the tonnage involved in the 47 commodities.

So taking the railroad officials' own testimony and reducing the westbound tonnage by 70 per cent and again by 50 per cent, we now find that the increased tonnage which these western railroads are really after is something less than one-half of 1 per cent. The figures are there. Work it out for yourself.

Table giving the revenue tons of freight handled during the last three years by only those roads which do reach Pacific coast ports

	1921	1922	1923	Increase
Northern Pacific	17,700,000	21,500,000	24,100,000	6,400,000
Great Northern	19,500,000	27,500,000	36,300,000	16,800,000
Chicago, Milwaukee & St. Paul	34,100,000	42,000,000	51,300,000	17,200,000
Union Pacific system	28,900,000	30,400,000	34,100,000	5,200,000
Spokane, Portland & Seattle	1,500,000	1,500,000	2,000,000	500,000
Southern Pacific	24,400,000	28,700,000	35,400,000	11,000,000
Atchison, Topeka & Santa Fe	23,700,000	28,900,000	33,900,000	10,200,000
Los Angeles & Salt Lake	3,400,000	4,500,000	5,800,000	2,400,000
Western Pacific	1,700,000	2,100,000	2,800,000	1,100,000
Total	154,900,000	187,100,000	225,700,000	70,800,000

But it will be interesting to get even a little more specific and see just how much it will profit an individual road if the Government will grant their plea to put the Panama Canal boats out of business.

Of the 1923 westbound tonnage that came through the canal 693,866 tons were destined to north Pacific coast ports and this of course is all the traffic the northern transcontinental lines could compete for if the boat lines were put out of business.

In the table below we have taken the four northern transcontinental lines, giving the revenue tons of freight hauled by each during 1923 and have divided all the westbound Panama Canal tonnage that went to northern ports equally between these four roads and shown how much each road would increase its gross business, by getting all the westbound traffic of the canal.

Of course, none of the roads would get as much of an increase as is shown in the table because the Canadian Pacific would take part of the business. However, let the figures stand.

Not a single northern road would increase its business as much as 1 per cent. The greatest increase would be to the Northern Pacific which would amount to seven-tenths of 1 per cent.

And there you have it again—the western railroads spreading pessimism and gloom all over this land of ours in a wild grab for tonnage to put a competitor out of business, when the very maximum one road can gain is an increase in its gross tonnage of seven-tenths of 1 per cent. They have then the effrontery to say to Congress that unless they can get this insignificant increase of business and haul it at cost they are headed for the rocks.

The Great Northern railroad alone last year showed an increase in tonnage over the year previous, in excess of the entire tonnage of the Panama Canal. Consult the figures.

Now what's back of all this misinformation that is going out from railroad offices?

Just this:

The railroads of the United States can brook no competition. They are meeting a little competition from the intercoastal boat lines that are using the Panama Canal and competition to the American railroad is something not to be endured.

The railroads want to stamp out Panama Canal competition effectually and completely. They want to drive the boats out of the Panama Canal, just as they have driven the boats off the Mississippi River. By means fair or foul they want a monopoly on the transportation business of this Nation.

That's all there is to this question. The little freight that is going through the Panama Canal amounts to nothing to these railroads. If they got it all they would never be able to find it in their revenue figures—it would be so small.

Table showing how division of Panama Canal tonnage destined to north Pacific ports would increase gross business of northern transcontinental rail lines

	Revenue tons of freight handled by railroads in year 1923	Tons of freight passing through Panama Canal in 1923 destined to north Pacific ports	Per cent railroad tonnage would be increased by securing all westbound canal tonnage
			Per cent
Northern Pacific	24,100,000	173,466	7-10
Great Northern	36,300,000	173,466	4-10
Chicago, Milwaukee & St. Paul	51,300,000	173,467	3-10
Union Pacific system	34,100,000	173,467	5-10
Total	145,800,000	693,866	

The Panama Canal cost the people of this Nation $500,000,000. At the present rate with which freight is passing through the canal it will take 100 years before as many tons of freight pass through that waterway as it cost dollars to build it.

Is it any wonder that Congress last year had to appropriate money to make up a deficit for the Panama Canal? There isn't enough business going through the canal to pay the expense of operating it. Yet the railroads seek to grab that little bit.

When Henry Blakeley, freight traffic manager of the Northern Pacific Railroad, in referring to the Panama Canal, made the declaration, "We would all be better off to-day if somebody filled it up," he was speaking the wishes of the western transcontinental railroads.

The western roads started under the fostering care of Uncle Sam. The Union Pacific and Northern Pacific, the pioneers of western railways, were given immense land grants by the Government. And from that beginning the habit of seeking alms from the Government seems to have developed.

They appear to have appropriated that famous war slogan, "Give until it hurts."

These roads to-day stand by the side of the highway of prosperity with green goggles over their eyes, tin cups in their hands, pleading:

"Give, Mister, give. Give until it hurts. Give us the Panama Canal."

"Alms, alms, for the love of Allah, alms."

There is one way to save the Panama Canal to the people of this Nation—just one way. That is for the House of Representatives this winter to pass Senate bill 2327, known as the Gooding bill. This bill has already been passed by the Senate.

Mr. GOODING. Mr. President, at the present time the rate on an 80,000-pound car of steel from Chicago to San

Francisco, if you are an American citizen, is $1 per hundred; but if you are a Chinaman living in Shanghai, or some other Chinese port, the rate on a car of steel from Chicago to San Francisco is 40 cents per hundred.

For an 80,000-pound car of steel from Chicago to San Francisco the American citizen pays $800, but Mr. Chinaman, for his 80,000-pound car of steel from Chicago to San Francisco, only pays $320.

If you are an American citizen living in Salt Lake, or some other intermountain city in the West, the rate on an 80,000-pound car of steel from Chicago to Salt Lake City is $1 per hundred, although the haul from Chicago to Salt Lake is 800 miles less than to San Francisco. The American citizen at Salt Lake pays $800 for a car of steel which Mr. Chinaman only pays $320 for a haul that is 800 miles longer.

The railroads are now asking the Interstate Commerce Commission to be permitted to violate the interstate commerce act by reducing the rate on steel from Chicago to San Francisco from $1 to 80 cents per hundred, but the rate to Salt Lake City is not to be reduced. That rate is to remain at $1 per hundred, so if these applications are granted the American citizen at San Francisco will receive his car of steel for $640, but the American citizen at Salt Lake will still continue to pay $800 for his car of steel. The Chinaman's rate is not to be interfered with, so he will still receive his car of steel at San Francisco at 40 cents per hundred, or $320 per car.

The officials of the Union Pacific are not satisfied with the rate on steel as far as the interior of the West is concerned. Mr. Adams, vice president of the Union Pacific, in his testimony before the Interstate Commerce Commission recently, said the Salt Lake City or interior man should pay $1.23 per hundred, or $984 per car, for his car of steel from Chicago to Salt Lake City.

For the information of Senators I wish to read into the RECORD a table showing the division of the freight collected by the different roads for hauling an 80,000-pound car of steel from Chicago to San Francisco.

On the rate of 40 cents for the haul from Chicago to San Francisco, which the Chinaman pays, the road from Chicago to Omaha, for a haul of 500 miles, receives $48 for its services. The Union Pacific for its haul from Omaha to Salt Lake City, a distance of 1,000 miles, receives $146.88. The Southern Pacific for its haul from Salt Lake City to San Francisco, a distance of 800 miles, receives $125.12.

Mr. President, I offer for the RECORD at this point in my remarks a small pamphlet published by the Intermediate Rate Association. This pamphlet gives a table that tells the story of the advantage in freight rates in this country that Mr. Chinaman has over an American citizen. I ask that this be printed in the RECORD.

The PRESIDING OFFICER. Is there objection?

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

	Export rate—what the Chinaman pays	What railroads ask San Francisco to pay	What Salt Lake does not object to paying	What the railroads want Salt Lake to pay	What H. M. Adams says Salt Lake should pay
Rate per 100 pounds	$0.40	$0.80	$0.80	$1.00	$1.23
Division on 500 miles from Chicago to Omaha	48.00	96.00	128.00	160.00	196.80
Division on 1,000 miles from Omaha to Salt Lake	146.88	293.76	512.00	640.00	787.20
Division on 800 miles from Salt Lake to San Francisco	125.12	250.24	(1)	(2)	
Total per car	320.00	640.00	640.00	800.00	984.00

[1] No haul. [2] No division.

Mr. GOODING. Mr. President, at the present time the railroads are asking that the rate on steel from Chicago to San Francisco be reduced to 80 cents per hundred, and if that application is allowed, the roads between Omaha and Chicago, for their haul of 500 miles, will receive $96. The Union Pacific for its haul from Omaha to Salt Lake City, a distance of 1,000 miles, will receive $293.76, while the Southern Pacific, for its haul from Salt Lake City to San Francisco, a distance of 800 miles, will receive $250.24. The railroads, however, do not propose to make any reductions to Salt Lake City.

The present rate to San Francisco is $1 per hundred, and under that rate the roads between Chicago and Omaha receive $160. If this car of steel stops at Salt Lake, and that is where the "steal" comes in, the Union Pacific, for its haul of 1,000 miles, will receive $640.

If the Union Pacific gets the increase of 23 cents per hundred which Mr. Adams, vice president of that road, says they should have on this car of steel from Chicago to Salt Lake, the rate will be $1.23 per hundred to Salt Lake City. On this rate, the railroads between Chicago and Omaha will receive $196.80 for their haul of 500 miles. The Union Pacific for its haul of 1,000 miles to Salt Lake City will receive $787.20, while a car of steel for Mr. Chinaman in the same train will be hauled on to San Francisco, 800 miles farther west, because he is a Chinaman and lives in Hongkong, for a total charge of $320.

Now, Mr. President, I want to discuss the second argument advanced by the transcontinental railroads for permission to violate the fourth section of the interstate commerce act in their rates to Pacific coast points. The transcontinental railroads make the claim that unless they are permitted to capture at least 50 per cent of the coastwise business passing through the Panama Canal, it will be necessary for them to haul empty cars westbound to take care of their eastbound traffic. I find from investigation there is practically no difference between the empty-car movement on any of the railroads in the East, the West, the North, or the South. I shall not take up the time of the Senate to show the empty-car movement of all the transcontinental railroads, but the records of the Union Pacific car movement will clearly demonstrate there is nothing in the claim set forth by the transcontinental railroads as to the empty-car movement that constitutes an argument for the violation of the fourth section of the interstate commerce act.

The records of the empty-car movement on the Union Pacific eastbound show that the argument that unless the Union Pacific is permitted to take their share of the 5,000,000 tons of freight that is now passing through the Panama Canal, westbound, they will be forced to haul empty cars westbound to take care of the eastbound traffic is pure bunk.

The facts are, as shown by the records of the Union Pacific at Huntington that the O.-W. R. & N., a part of the Union Pacific system, turned over to the Oregon Short Line, which is also a part of the Union Pacific, 62,800 empty cars which they have been forced to haul from Pacific coast points eastbound without loads.

There is nothing strange about this empty-car movement; it exists on every road, and in this respect the transcontinental railroads are more fortunate than the eastern and southern railroads.

Mr. President, it is not strange that the railroads should fight this legislation, for they have fought every piece of railroad legislation that has been enacted by Congress. The railroads fought the interstate commerce act. They said the State commissions could regulate the railroads, and now they want the State commissions abolished and all authority to regulate commerce lodged in the Interstate Commerce Commission. I think we can all remember the vicious fight the railroads made against the enactment of the interstate commerce act.

The railroads fought the amendment of the interstate commerce act which denied the railroads the right to rebate to favored shippers. We can all remember how bitter that fight was, but the railroads to-day say it is a blessing to the railroads themselves.

The railroads fought the safety appliance act, which has proved a blessing to the traveling public.

Part of the railroads fought section 15–A of the interstate commerce act, but they are now insisting that it must not be repealed or amended in any way. They carried their case against that part of section 15–A, known as the recapture clause, to the Supreme Court. The Supreme Court decided against the railroads, but all the class A railroads have so far refused to turn over a single dollar to the Government, although there is something like a hundred million dollars in the hands of the railroads at the present time, a half of which belongs to the Government under the recapture provision of our transportation act.

The railroads fought the act creating the labor board, and now they say it must not be abolished, or the act amended in any way.

All of this legislation the railroads have come to accept, and say it is a good thing, a blessing to the railroads themselves.

Mr. President, if Congress passes an act denying the Interstate Commerce Commission the right to permit railroads to charge more for the shorter haul than for the longer haul in order to destroy water transportation, in a very few years the railroads will tell Congress it is the best piece of legislation ever passed, in the interest of the railroads themselves, for the elimination of the discrimination in freight rates means development in the interior along their own lines, where water

transportation or competing lines can not take the business away from them.

The transcontinental railroads are now divided on this question, and some of them admit it is a mistake to build up coast cities at the expense of the interior, where they come in competition with other railroads and with water transportation.

Mr. President, we are no longer a new country. The last chapter of the achievements of the American pioneer can now be written, for at no place on American soil is there a frontier, and nowhere in all the history of civilization can there be found anything to compare with the part the American pioneer has played in the settlement of this mighty empire; no trail was too long, too hard, or too dangerous for him to follow. Out into the mighty West he pushed on, undaunted and unafraid, at times hundreds of miles from an organized government, a law unto himself; but through it all he never forgot those principles of American manhood—respect for womanhood, motherhood, and Christianity, without which no government can long endure or civilization exist.

All honor to American pioneers, for they not only made possible the settlement and development of this mighty empire, but they left behind them, from the Atlantic to the Pacific, a citizenship full of the virile forces of American manhood that has made this country the greatest factor in the world to-day. Yet, in the development of our mighty resources we have only made a beginning; and that is also true as far as the population in this country is concerned.

The Census Bureau estimates that in 1950 we will have a population in this country of something over 148,000,000, and that in 1986 we will have passed the 200,000,000 mark in our population.

Senators can very properly ask themselves, What are we going to do with 150,000,000 or 200,000,000 people in America? Are we going to pile them all up in one end of the country and in a few of the coast cities in the West, or are we going to legislate so that every part of this country can play its part in the growth and development of this mighty empire?

Under the present discrimination in freight rates the interior States of the West are practically at a standstill in their growth and development. True, the interior has some new irrigation projects to build, but irrigation projects offer very little to the growth and development of the country, for those States whose resources are confined to agricultural and pastoral pursuits can never have great populations, nor can they accumulate any great wealth. That is the history of civilization. Those countries that have followed largely agricultural and pastoral pursuits are poor countries, and they will always remain poor, and the same, Mr. President, will remain true of the States in this Union which, through discrimination in freight rates, are denied the right to manufacture their raw material into the finished product.

In my judgment it is a dangerous thing to build great cities in this country at the expense of the interior, for congested conditions of population always increase the burdens of governments. Then, too, Mr. President, cities can be too great for economy in production, and the population can be too dense for the best interests of the Government, for the best interests of every government lie in a proper distribution of its people as far as possible in every part of the country.

If this country is to reach its full greatness as a Nation we must have other Pittsburghs and other Chicagos and other Detroits, as well as many other great cities I might mention east of the Mississippi.

The great State of Utah can properly be called the Pennsylvania of the West. Out in that great State it is safe to say that they have more coal than exists in the great State of Pennsylvania; they have great iron mines, great copper mines, great silver and lead mines, and every other kind of mineral known to civilization; yet, with discrimination in freight rates, there is no hope for any manufacturing industries to any extent in the State of Utah, and what is true in Utah is true in other interior States of the West.

Out there in the mighty West we have most all the standing timber that is left in America to-day. Out in the West, the Northwest, and the Southwest we produce practically all of the precious metals and copper in America. Out in the West, the Northwest, and the Southwest we have practically all of the oil supply that is left in America; and out there in the West, the Northwest, and the Southwest we have an opportunity to develop more hydroelectric power several times over than is possible in all of the rest of the States of the Union combined; yet through a discrimination in freight rates we have no opportunity to manufacture any of our raw materials into the finished products.

In the past, Mr. President, we have had a great public domain in the West, and up to a few years ago there was an opportunity to relieve the congested conditions of our great cities by the people finding homes on the public domain, but we have passed that milestone in this country, for in no place in the West is there an opportunity for the homesteader to locate a home on the public domain where it would be safe for him to move his family and try to make a living.

We will be confronted with the most serious problem of all, the problem that Europe has been contending with for a thousand years, that of finding employment for the Nation's own people. Every great industry in the country to-day is overdeveloped. The steel industry operating 50 per cent of the time can manufacture all the steel that is required for our use. Sixty years ago we produced in this country 24 tons of iron and steel per man per year. Now we are producing between 1,200 and 1,400 tons per man per year in our steel plants. Twenty-five per cent of the coal mines, operating with 60 per cent of the men now employed can produce all our requirements for coal and all that we need for export.

Twenty-five per cent of our shoe factories working 100 per cent of the time can produce all of our requirements for shoes. All of our shoe factories operating all the time, it is said, can make all the shoes needed by all the civilized world that wears our type of shoes. We have a sawmill capacity in this country of 116,000,000,000 feet per annum. Our requirements are only 43,000,000,000 feet per year. There we are overdeveloped almost 200 per cent. The glass factories entered into a contract with their men to operate only six months in the year. The rest of the time they find employment in any other industries. So on with all of our great industries, without exception. The woolen mills and the cotton mills are all overdeveloped. Unless we open up the inland waterways and make possible cheap transportation we are going to lose the markets of the world. We are facing a new civilization. We have a higher cost of production than any other country in the world. Our relative cost of production in comparison with other countries is much higher than before the war.

The greatest problem that confronts every government is that of finding employment for its own people. That will be our problem unless we improve these waterways and make it possible for capital to invest in watercraft. Germany, when she comes back—and she will come back—when they bring their currency back to a standard the world will accept, with their efficiency, will become a mighty factor in the trade of the world. They were a mighty factor before the war. We were third in the trade of the world before the war. There is no question about the efficiency of German labor. There is no question about the efficiency of the labor of Belgium and other countries I might mention. As was so ably said by the Senator from Maine [Mr. FERNALD], there they protect their water transportation. Germany is carrying more than half of its commerce through its waterways; Belgium, England, and France all make every possible use of the natural waterways that God Almighty has given to the people to lighten the burdens of humanity, and yet here in this great country, about which we boast so much as being the freest and best in the world—and there is no doubt about that—we permit the selfish interests to destroy the usefulness of our great waterways.

I do not know what the end is to be, but we are facing a crisis. The railroads can not take care of the ever-growing development of the country. They are not trying to. In their selfishness they are interested in a monopoly alone. They have used the Government to their own ends. The country is full of people who believe sincerely that the railroads are stronger than the Government itself. That is a dangerous thought to get into the minds of the people.

When we realize that our own Government has permitted the railroads to destroy the usefulness of our inland waterways it is not strange that there are a great many people in this country who have lost confidence in their own Government. For I know of no agency, Mr. President, that can be brought into usefulness to the extent of our inland waterways. In this country we have an opportunity to develop between 50,000,000 and 60,000,000 hydroelectric horsepower on our inland waterways, an agency when once developed is always ready for usefulness by the touching of a little button which brings forth light and heat and almost everything else that is essential to lighten the burdens of humanity. Yet in the interest of the great railroads of this country this great agency, the mightiest of all, is playing no part, as far as the Government is concerned, in the mighty service it can render to the people.

I am not for the purchase of the Cape Cod Canal if, in the same breath, we are going to destroy the Panama Canal as far as the interior West is concerned. You can not have a canal over at Boston and at the same time have the people of the interior West denied the right of the use of the Panama

Canal, which we have spent $350,000,000 to build, and which has come to be the pride of the American people. Do not forget that, if you please. The Cape Cod bill ought to pass. It is false economy, a penny-wise and pound-foolish policy not to pass it. Economy is all right, but when economy is practiced to the end that we stop the development of a mighty country like ours, it can only be branded as criminal, and nothing else.

If we make full use of our inland waterways, this country will go forward by leaps and bounds, for we have only made a beginning in the development of our mighty resources. First of all, let us save what we have. Senators upon this floor who represent coast States and river States in which the Government has spent $1,250,000,000 for the improvement of our waterways, I am sure realize they represent all of the people of their State, the people of the interior of the State, those who are not fortunate enough to enjoy water transportation.

Mr. President, it seems to me Colonel Keller's statement before the River and Harbor Committee of the House is a fearful indictment of Congress, and more especially of Senators and Congressmen who represent what we call our river States. The Government has spent hundreds of millions of dollars and yet no useful purpose has been made of this vast expenditure; year after year the Government makes appropriations for the maintenance of water transportation on our inland rivers, yet on some of the rivers boats are rotting at the wharves, and others are so little used they are not a factor in relieving the congested condition of our railroads to-day. On some of our rivers upon which the Government has appropriated money to maintain locks and dams, river boats are never seen upon their waters.

The hundreds of millions of dollars the Government has spent on our inland waterways only serves one purpose and that is the selfish interest of the people who live in these river towns, who through this vast expenditure of Government funds are privileged to enjoy a lower rail freight rate than the citizens of the same State who live in the interior. The lower rail freight rates given to the cities on our rivers where water transportation makes possible a monopoly, to a large extent, over the business interest in the same State, all of which the rest of the State pays a tribute in a higher freight rate in order to give these river towns cheaper rail freight rates, and the railroads at the same time an opportunity to destroy the actual transportation on the river, it is not strange that under such circumstances that Colonel Keller found from his investigation, and has been found from other investigations, that the people who should be interested are not interested in water transportation, for potential water transportation serves them better, for like the railroads who have a railroad monopoly, they too have a monopoly of the business to a large extent in their States.

Mr. President, the first duty of a Government is to protect the weak, to legislate so there will be a square deal for all of the people and so the burdens of Government shall rest fairly and justly on all alike, and when we do less than that, we do not perform our full duty for all the people we represent.

Mr. President, I have a high regard for the members of the United States Senate. There is no doubt in my mind about their honesty and integrity and their desire to serve the best interests of all the people in their States, and I am sure if they will give this matter their serious consideration, they will find, just as Colonel Keller found from his investigation, that the river towns in their States have a decided advantage in rail freight rates. I doubt, Mr. President, if any body of men ever worked harder than those who represent this country to-day in the United States Senate and they are working for less than their actual living expenses.

I live modestly in my home and I can not live on my salary. I have modest quarters, yet it costs me one-third of what the Government pays me to have a home in this city that is just moderate and modest.

I have not any patience, let me say now, with those who for some reason or other question the propriety of increasing the salaries of the Members of Congress. Every Senator knows as well as he knows anything, indeed better than he knows almost anything else, that he can not live on his salary. Nine-tenths of all the legislation we pass here is passed without a roll call. I was here at the time that measure passed the Senate. I would have been delighted if a roll call had been asked for and to have had a record vote, but it was not necessary. If I had thought it was necessary, I would have asked for it myself.

I know of Senators in this body who are denied the privilege of bringing their families to Washington because they are unable to meet the extra expense they must pay out for a living if they enjoy the companionship and the home life of their wives and children.

Mr. HEFLIN. Mr. President, will the Senator yield to me?

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

Mr. GOODING. Yes; I yield.

Mr. HEFLIN. The bill increasing the salaries of Members of Congress has been pending for months. It was favorably reported by the Finance Committee; it was favorably reported by the Appropriations Committee; it was offered on the floor of the Senate by the Senator from Wyoming [Mr. WARREN] as an amendment, and was agreed to in open session. A motion made by the Senator from Nebraska [Mr. NORRIS] to reconsider the vote by which the amendment was agreed to was made, but was not agreed to. Now, how much more publicity would the Senator from Idaho want than that?

Mr. GOODING. None at all, unless one wishes to humiliate men who, because under the law they alone can increase their salaries, hesitate to do it, but who ought to have done it years and years ago. Unless it is desired to humiliate those men nothing more is needed, but I am sure that is not the desire of any Senator who is pressing for a vote on this matter, but, in my judgment, that is practically what it means. The law ought to be changed so that the Supreme Court or some other body could fix the salaries of the Members of Congress. It is not a pleasant thing to vote to increase one's salary. Because it is not pleasant, Senators have neglected a duty which they have owed to themselves, their families, and their country for a long time.

Mr. President, some people have no respect for a man who gives free service, and some people have lost respect for the Senate, because, in my opinion, Senators have been willing to work here for less than a reasonable salary. Many people who do not come in contact with Congress believe that there must be something wrong with a man who will come to Washington and work for less than a living; they think he must have a graft somewhere.

Mr. ASHURST. Mr. President, will the Senator from Idaho yield to me?

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

Mr. GOODING. Yes.

Mr. ASHURST. Speaking of the increase of salaries, if the able Senator from Idaho could translate his amendment into law he would save the taxpayers of the State of Arizona alone a thousand times the amount of his salary every week.

Mr. GOODING. Oh, yes, Mr. President. Not only that, but we should also make them feel that they were American citizens, with the same rights and the same privileges that every other citizen has; that is all.

I want to tell Senators that there is nothing deeper in the hearts of the American citizens than a sense of justice. It is that for which they stand everywhere. We are generous to a fault; we have given $1,000,000,000 to charity since the beginning of the World War. We are more than generous; we are extravagantly generous. My America! Let us do what we ought to do so as to give every American citizen the same rights for which our forefathers fought in the Revolutionary War. That is all I am fighting for. This proposed legislation would afford an opportunity to develop our resources without discrimination. It was for that the colonists fought; nothing more. We of the West are not going to rebel. We are good citizens; there are no better American citizens than live in the West. The West is made up of some of the best blood of every State in the Union. Its people are a great people; they are a progressive people. All they want is "a place in the sun" and a chance to make this a bigger and a better country.

Mr. PITTMAN. Mr. President——

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

Mr. GOODING. I yield.

Mr. PITTMAN. Mr. President, if the Senator will pardon me, I desire at this point to interject a thought which is in my mind. The Senator has discussed very clearly the necessity for the legislation which he now proposes. A bill that was more restrictive upon the Interstate Commerce Commission than the provision he now offers was adopted by this body by over a two-thirds vote at the last session. That bill went over to the House of Representatives; it was considered in the proper committee of that body, and, after hearings upon it and exhaustive consideration, the committee declined to make a report on the bill; the committee kept it in its pigeonhole. Therefore, the Senate was deprived of its constitutional right to have a vote by the other House upon that proposed legislation. That is the reason why it is necessary to offer this provision as an amendment to the pending bill.

Unfortunately the rules of the two Houses are so different that legislation that should be considered by both Houses dies

Congress after Congress. I think that the Rules Committee of the Senate should invite the Rules Committee of the House into conference for the purpose of agreeing upon certain rules that are essential for the consideration of the legislation of each House by the other. For instance, if the Senate places any new matter in an appropriation bill, when it goes to the other House it is subject to a point of order on the ground that it is general or new legislation on an appropriation bill; and yet the House does not at all hesitate, as it has done in the Interior Department appropriation bill, to insert general legislation absolutely changing the law policy relating to reclamation. The House does not recognize that its rules can not govern us in our procedure toward legislation and that our rules can not govern them. We are rapidly reaching an impasse between the two bodies when the rules of each will prevent the coordinate action that is required in legislation.

Only recently a point of order was sustained by the Senate to the effect that because the House bill with regard to Muscle Shoals was entirely different from the Senate bill we could not accept the legislative matter in the House bill in determining a point of order against the conference report. If the House of Representatives holds exactly the same thing, if that House on a point of order can not consider any of the subject matter of the Senate bill, then we shall have reached a condition in which the two bodies can never get together.

Let me illustrate what I mean. If the House of Representatives had passed a bill for the Government operation of Muscle Shoals and the Senate had passed a bill, as it did, for the leasing of Muscle Shoals, and if the conferees had placed in the bill anything with regard to Government operation, then a Member of this body under its rules could have made a point of order against the conference report. On the other hand, if the conferees had inserted anything with regard to leasing in the bill a Member of the House, carrying the same rule, could have made a point of order, and it could have been sustained, on the ground that there was nothing in the House bill with regard to leasing.

This condition has got to be adjusted, and we might just as well commence to decide the question now as at any other time. Whenever a bill is passed through this body by more than a two-thirds vote, the Senate is entitled to have that bill considered by the House of Representatives. If it is denied that right through any rule governing a committee of the House, then there is only one remedy left for us, and that is to take some House bill, which has passed the House, and add to it as amendments the legislation which we have passed and which we insist shall be voted upon by the House of Representatives. That is the exact situation here before us now. The Senate is in favor of the amendment of the Senator from Idaho, and this is the only way in which it can be considered by the House. As to whether or not the Senate is for the Cape Cod Canal project, I do not know; we have had no vote on that; that is a different proposition entirely; but the amendment of the Senator from Idaho is sound; we are entitled to a vote on it; and we are entitled to have it considered by the other body.

Let me say further, Mr. President, as has already been said by the Senator from Idaho, if there is any support whatever for the Cape Cod Canal measure, if there is any argument in favor of it, it is that it is a link in the development of the waterways of this country. If that policy is to be carried out, let it be carried out all through the country. Do not carry it out in favor of Massachusetts and turn it down as against another section of the country.

The amendment of the Senator from Idaho is not understood by some. He does not ask, mind you, Mr. President, that the railroads should be limited to charging the same amount for a long haul as a short haul; he merely asks that they shall not be allowed to charge more for a short haul than for a long haul in one case, namely, for the purpose of meeting water competition.

There have been bills introduced in both Houses that had for their purpose the absolute removal of any power on the part of the Interstate Commerce Commission in any case to allow a departure from the fourth section of the interstate commerce law and to permit the railroads to charge more for a short haul than for a long haul; but the pending amendment does not go that far, Mr. President. It allows the railroads at the present time to apply to the commission for the power to charge more for a long haul than for a short haul where it involves competition between railroads. The long and short haul contention as affecting short-line railroads is entirely removed by this amendment, because the short-line roads that form circuitous routes have the right to apply for the remedy as against the more direct rail line. The amendment does not affect exports, and so expressly provides. It is limited to the question whether or not the Interstate Commerce Commission shall have the power to grant such low rates in competition with water that the railroads can drive out of business the water carriers. The amendment has no other purpose.

A statistician of the Interstate Commerce Commission has already stated that the western railroads which are asking for lower rates to the Pacific coast will lose seven hundred and fifty thousand-odd dollars or more if such rates are granted to them. Why do they want to lose money? Because it is estimated that where the railroads will lose $750,000 the boats going through the Panama Canal will lose $5,000,000; and $750,000 counts as nothing to the western railroads, while $5,000,000 to the ships going through the Panama Canal means actually their existence.

The railroad executives before the Interstate Commerce Committee asked that they be allowed to set up these discriminatory rates for the purpose of getting half of the business now going through the Panama Canal. Tell me, if they get a rate that will give them half of the business, why it will not give them all of the business?

We are right now considering the great river and harbor bill; it is intended to develop the waterways of this country for the purpose of boat navigation; and a very material thing to boat navigation is to prevent the Interstate Commerce Commission from granting such rates and preferences to the railroads at competitive points as will run those boats off the rivers. If there ever was a material amendment to a river and harbor bill, this amendment is material. If we are going to develop the inland waters for commerce, knowing that in the past boats which have been driven out of commerce, then it is our duty at the same time to say that that threat against them shall forever be removed.

Mr. GOODING. Mr. President, these are great economic questions that should have the best thought and consideration of every Senator on this floor.

There are those, Mr. President, who believe our democratic form of government can not long endure; but I do not share that thought, for I am satisfied that if those who are intrusted with the responsibility of this Government legislate wisely for the best interests of every part of this country, this Republic will endure until the end of time.

On a former occasion I read into the RECORD a letter from Lord Macaulay, the great English historian, to Mr. R. H. Randolph, of Virginia. There is so much in that letter that is food for thought that I want to again read a part of it into the RECORD.

Lord Macaulay says:

> I have long been convinced that institutions purely democratic must, sooner or later, destroy liberty or civilization, or both. You may think that your country enjoys an exemption from these evils. I will frankly own to you that I am of a very different opinion. Your fate I believe to be certain, though it is deferred by a physical cause. As long as you have a boundless extent of fertile and unoccupied land, your laboring population will be more at ease than the laboring population of the Old World, and while that is the case the Jefferson politics may continue to exist without causing any fatal calamity. But the time will come when New England will be as thickly populated as old England. Wages will be as low and will fluctuate with you as with us. You will have your Manchesters and Birminghams, and in those Manchesters and Birminghams hundreds of thousands of artisans will assuredly sometimes be out of work. Then your institutions will be fairly brought to the test. * * *
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> It is quite plain that your Government will never be able to restrain a distressed and discontented majority, for with you the majority is the Government, and has the rich, who are always a minority, always at its mercy. The day will come when in the State of New York a multitude of people, none of whom has more than half a breakfast or expects to have more than half a dinner, will choose a legislature. On one side is a statesman preaching patience, respect for vested right, strict observance of public faith. On the other is a demagogue, ranting about the tyranny of capitalists and usurers, and asking why anybody should be permitted to drink champagne and ride in a carriage while thousands of honest folks are in want of necessaries. Which of the two candidates is likely to be preferred by a workingman who hears the children cry for more bread?
>
> I seriously apprehend that you will, in some such season of adversity as I have described, do things which will prevent prosperity from returning; that you will act like people who would, in a year of scarcity, devour all of the seed corn and thus make the next year one not of scarcity but of absolute famine. There will be, I fear, spoliation. The spoliation will increase the distress; the distress will produce spoliation. There is nothing to stop you. Your Constitution is all sail and no anchor.
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> As I said before, when a society has entered on the downward progress, either civilization or liberty must perish. Either some Cæsar or Napoleon will seize the reins of government with a strong

hand, or your Republic will be fearfully plundered and laid waste by barbarians in the twentieth century as the Roman Empire was in the fifth, with this difference—that the Huns and Vandals who ravished the Roman Empire came from without, while your huns and vandals have been engaged within your own country by your own institutions.

Mr. President, we already have our Birminghams and Manchesters in this country, and we will soon have a congested population that will be greater than that of England if we continue our present policy of discrimination in freight rates toward the interior, and we shall soon be face to face with the problem that England and other European countries have been facing for a thousand years, that of finding employment for their people. Unless Congress legislates wisely, and eliminates discriminations against every part of this country, and at the same time, as I have said before, legislates for the best interest of all the people, there is danger that some day Lord Macaulay's prophecy may come true.

Mr. FRAZIER. Mr. President——

Mr. GOODING. I yield to the Senator from North Dakota just for a question.

Mr. FRAZIER. There is no question but that the present freight rates are absolutely unfair to the States in the Middle West and West. This amendment would mean a world of good to the farmers throughout that great producing section.

I want to say just a word about North Dakota, if the Senator will permit me.

In North Dakota we have a lot of natural resources that have not been developed because of unjust freight rates. We have more coal in North Dakota than in any other State in the Union, according to Government statistics, 600,000,000,000 tons of coal underlying the western half of North Dakota. We have pottery clays, the best in the United States. We have brick clays, the best in the United States. Those natural resources are undeveloped because of the unfair freight rates. If we could but get our freight rates adjusted as this amendment would allow us to do, we could have factories and manufacturing institutions out there that would bring in a great many more people and double and treble our population and give the farmers a home market for their products. That is one thing—the distance to market and the unfair freight rates—that is helping drive the farmers of the great West and Northwest out of business.

I want to give one example of unfair freight rates, if the Senator will permit me.

The rate on wool in carload lots from the Pacific coast, San Francisco, and other points out there, to Boston, Mass., is $1.50 a hundred, according to the last freight rates that I have been able to get. From Grand Forks, N. Dak., the rate on wool in carload lots to Boston, Mass., is $1.53 a hundred; and it is about 1,250 miles nearer to Boston than the Pacific coast is. In other words, the Great Northern and the North Pacific Railroad Cos. haul that wool in carload lots from the Pacific coast to Grand Forks, N. Dak., a distance of 1,250 miles, for 3 cents less than nothing, on its way to Boston, Mass. Either the woolgrowers of North Dakota are paying too much freight to Boston on their wool, or the woolgrowers of the Pacific coast region are getting their freight a little too cheap; one or the other.

It is unfair that these inequitable freight rates should continue to exist. I believe they should be changed. Of course, a great deal of propaganda is being spread by the railroad interests. Perhaps you noticed in the Washington Herald a couple of days ago the charge made by some one over in the House that there were a great many lobbyists for the railroad interests here at the present time; and it seems that that may be true, because you noticed, too, that yesterday the amendment cutting out the surcharge for Pullman rates that was put through almost unanimously here in the Senate was cut out in the House by their vote over there. It seems that there is a great deal of propaganda being spread for the railroad interests against the reduction of freight rates.

Last winter, about a year ago, when the Senator from Idaho introduced this same measure, the long and short haul bill, here in the Senate, propaganda came in from all over the country opposing it. Commercial clubs and business men's organizations in my own State sent in resolutions asking that no legislation be put through at the present time changing the railroad rates, and that in the face of the unfair rates that we have in our State. Why? Because of the propaganda and the pressure brought to bear on them by the railroad interests; and, of course, the railroad interests, coupled with other great interests in the East that do not want to see the West developed, are blocking us in putting through this measure to obtain fair rates.

I thank the Senator.

Mr. GOODING. Mr. President, it is the same old, old story of the destruction of water transportation that has been going on now for nearly half a century. Congress is the only one who can settle this issue. Congress must decide whether we are going to permit water transportation to develop in this country, or whether we are to continue the same old policy, and give the railroads a monopoly of transportation by permitting them to charge more for the shorter haul than for the longer haul, so that they can continue their work of the destruction of water transportation.

This question can be settled in only one way, and that is through legislation on the part of Congress, whose duty it is to legislate principles and policies upon which the commerce of this country may develop.

Mr. President, the destruction of water transportation on our inland rivers in this country is a simple, simple story. One investigation after another has been made by the Government. Many reports have been made to Congress clearly showing the destruction of water transportation on our inland rivers by the violation of the fourth section of our interstate commerce act, which the Interstate Commerce Commission has openly admitted is all for the purpose of the destruction of water transportation. There is no secret about it, nor is it denied even by the railroads themselves. The Interstate Commerce Commission has said, in substance, on several occasions that if Congress does not want water transportation destroyed in this country it should say so with legislation, which up to the present time Congress has failed to do.

Now, Mr. President, I want to call the Senate's attention to some of these violations of the fourth section of the interstate commerce act that the transcontinental railroads are now asking for; and I want to repeat what I have said before: If Congress does not want water transportation destroyed, why does it not say so in legislation? I do not know.

Mr. President, I now want to call the attention of the Senate to the maps that I have on the wall.

First, I want to call the Senate's attention to the Monongahela River, and what the Government has accomplished on that river. Something like 33 years ago the Government took over the Monongahela River, bought it of some corporation down there, and since that time has been operating it. We paid $6,000,000 for the locks and the dams on the Monongahela River. That river taps the great coal fields of Pennsylvania. In 1924 there were handled on the Monongahela 24,000,000 tons of freight. That is equal to all the freight that originates in 13 different States, including the District of Columbia, on the lines of the Southern Railroad system. The transportation on the Monongahela, the Allegheny, and the Ohio, which carries 37,000,000 tons a year, is equal to 32 trains a day, running 350 days in the year, 75 cars in each train, and each car loaded to a capacity of 80,000 pounds. But there have been no violations of the fourth section on the Monongahela River. The Government has never permitted any, and the Legislature of the great State of Pennsylvania, as far as intrastate rates are concerned, has passed legislation so that within that State railroads are prohibited from charging more for the shorter haul than for the longer haul on traffic within the State. Of course, with the great strength that Pennsylvania has in Congress, the Interstate Commerce Commission has never dared permit any violations against the Monongahela River, although the railroads cross the Monongahela at seven different points. If permitted, they could destroy the use of the Monongahela River, which has been the mightiest factor of all in building Pittsburgh.

I want the Government to give us more Monongahela Rivers. I am proud of the fact that this Government took over the Monongahela River and made it possible to have a great steel industry, and made it possible to carry 24,000,000 tons of freight through 15 different locks on that river. I believe that work very properly belongs to the Government. Just give us a chance to have a few Monongahelas in some other parts of the country; that is all I ask.

I am especially pleased, and proud of the fact, that the two great Senators from Pennsylvania, whom I have learned to respect very highly, and whom I admire for their ability, for their courage, and their manliness, supported the long and short haul bill before the Senate. They are the first Senators from Pennsylvania who ever did support the long and short haul bill. I want to say as much to the two Senators from New York, whom I have also learned to respect and admire very much, both the Republican and the Democrat. I have learned to have a very high respect for them. My good friend the junior Senator from New York (Mr. COPELAND) is a credit to any body of men. I care not

what his politics is, he is ready at all times to help settle great public questions with fidelity to all the people, and not to a political party. There is no politics in this question.

Mr. President, this map on the wall to which I shall now refer has been drawn to show the discriminations in freight rates which are proposed, and the unreasonable share the Western States are called on to pay in the maintenance of our railroads. The average railroad haul in this country is about 300 miles. The long and short hauls, when taken together, show an average haul of 300 miles. I am sure the shorter haul, or anything below the average haul, ought to pay a little higher freight rate on a mileage basis than the longer haul, but when the haul is anywhere like twice or three times the length of the average haul, I do not believe there should be any higher freight rate per mile.

I believe it is the duty of every community to pay its share of the maintenance of the railroads. Under the Esch-Cummins Act to-day we practically guarantee to the railroads 6 per cent on the value of their property. To make up that earning I believe Congress should see that every community pays its fair share of the tax, because a freight rate is a tax, imposed for the benefit of the people. Anything less than that is an outrage and a crime.

Let me show the discriminations. This double red line which appears on the map runs through the different towns to which I want to refer in showing the discriminations. I first call attention to the town of Detroit, Minn., a distance of 613 miles from Chicago. I know of no fairer way to measure freight rates than to compare the cost of hauling a car from some point like Chicago to the various points which are to be compared. I shall first refer to what the railroads charge for hauling a car of dry goods.

The Northern Pacific Railroad charges the people of Detroit, Minn., 71.9 cents for every mile a car of dry goods is hauled between Chicago and Detroit, Minn. But when it is hauled on out to Seattle they will charge the people of Seattle only 19 cents a car-mile. In other words, if the Interstate Commerce Commission permits the violation of the fourth section, the people of Detroit, Minn., must pay nearly 300 per cent more for the service they get from the railroads than is paid by the people out at Seattle. Why should the people of Detroit, Minn., pay 300 per cent more in freight rates than the people of Seattle? Is that the American fair play we boast about so much?

The railroads are not satisfied with that. They now have an application before the commission, which includes 47 different commodities, in which they are asking for fourth-section violations.

This map [indicating] indicates the scheme of the transcontinental lines' application for permission to violate the fourth section. On this map I have used dry goods as illustration. The rates shown are from Chicago.

This single red line runs through Bremen, N. Dak., 838 miles from Chicago; Steele, N. Dak., 812 miles; Mahto, S. Dak., 828 miles; Ogallala, Nebr., 820 miles; Macksville, Kans., 729 miles; Haviland, Kans., 749 miles; Beggs, Okla., 735 miles; and Amesville, La., 931 miles. Every place on this line and west of this line, including the Pacific coast, now pays 1.58 per hundred on dry goods from Chicago.

The double line running through Detroit, Minn., 613 miles from Chicago; Rothsay, Minn., 613 miles; Mina, S. Dak., 720 miles; Scranton, Iowa, 376 miles; Jansen, Kans., 610 miles; Willard, Kans., 601 miles; Quenemo, Kans., 523 miles; Wyandotte, Okla., 625 miles; and Greenville, Miss., 747 miles from Chicago, is the 1.10 line.

All of the points on the 1.10 line at present pay 1.10 per hundred on dry goods from Chicago. The points between the 1.10 line and the 1.58 line pay a rate ranging from 1.10 to 1.58 per hundred.

The transcontinental lines have asked the Interstate Commerce Commission for permission to reduce the rates on dry goods from Chicago to the Pacific coast ports to 1.10 per hundred and leave the rates to the intermediate points where they are now.

If the application is granted the result will be that every place between the 1.10 and the 1.58 line will continue paying rates ranging from 1.10 to 1.58, and every place on the 1.58 line and west of the 1.58 line will continue to pay 1.58, while the coast cities such as Seattle, 2,190 to 2,445 miles from Chicago, depending on the route, Portland 2,262 miles, San Francisco 2,261 to 3,408 miles, Los Angeles 2,231 to 2,299 miles from Chicago will only pay 1.10 per hundred.

If those violations are permitted, this is what will happen. The people of Bremen, N. Dak., will pay $1.58 a hundred on every carload of dry goods hauled to that town from Chicago, while the people out at Seattle will pay only $1.10 a hundred. Freight will be hauled through this vast western territory, the biggest half of this wonderful country [indicating] from east to west, practically free if it is going to a coast city, in fact, for 48 cents less per hundred than to the people of Bremen, N. Dak.

Steele, N. Dak., is 812 miles from Chicago. The people there will pay 78 cents a car-mile on dry goods from Chicago, while the people of Seattle will pay 19 cents a car-mile on a car of dry goods, if the violations are permitted.

Here is Scranton, Iowa, a distance of 376 miles from Chicago. The present rate on dry goods to Scranton is $1.11 per hundred The people of Scranton, Iowa, pay $1.17 a car-mile for their dry goods from Chicago, while the people out here at San Francisco will pay 19.4 cents a car-mile.

Here is Quenemo, Kans., on the Santa Fe, 523 miles from Chicago. The people of Quenemo pay 84 cents a car-mile for their dry goods, while it will be hauled all the way out to San Francisco at a rate of 19.4 cents a car-mile.

Here is Wyandotte, Okla., on the Frisco lines, 625 miles from Chicago. The people of Wyandotte pay 70½ cents per car-mile for their dry goods, while it will be hauled all the way to San Francisco at the rate of 19.4 cents per car-mile.

Here is Greenville, Miss., 747 miles from Chicago, on the Illinois Central. The people of Greenville pay 59 cents per car-mile for their dry goods, while it will be hauled all the way to San Francisco by this route for 13 cents per car-mile.

Ogallala, Nebr., is 820 miles from Chicago. The people of Ogallala pay 77 cents a car-mile for their dry goods, while the San Francisco people will pay only 19.4 cents a car-mile, if these violations are permitted.

As I said before, the railroads would force the people to pay $1.10 a hundred along this line [indicating] and everybody west of it $1.58. But they want to put the rate down on all these 47 different commodities to the coast cities, a reduction of from 20 to 66 per cent below the rate charged to this vast intermediate country.

Talk about discrimination! Talk about American principles! Talk about justice! I am unable to find any language that fits it at all.

I will leave this map for a few moments now, and call attention to the next map, which is an official map prepared by the Army engineers, whose life work has been the building of our great waterways and the improvement of our harbors. This map shows only the actual, existing waterways. There is no potential navigation shown on the map, but only waterways—represented by the red lines—on which there have been actual expenditures by the Government. With the exception of the Monongahela River and some of these points lying along the Atlantic coast, literally no use is made of this work which has been accomplished by our Government. Water transportation on the inland rivers of the South is practically dead. Again I want to call the Senate's attention to the fact that the Government is now experimenting on the Mississippi to see if it is possible to bring water navigation on that stream back to life.

All we need to do to bring it back to life is to pass this legislation which provides that the Government will stop discrimination in rail freight rates. That is all that is required. That is all that is needed in order to get capital to invest in water craft. That is all that is needed to make this a bigger and better country all the way around. I asked the Army engineers to mark out for me in different colors the potential water possibilities of America. But I can readily understand why they did not care to take that responsibility when they have made reports, one report after another, that the people who live along the rivers where we have water transportation are not interested in water transportation simply because they have potential water transportation by which they can force the railroads to give them freight rates that are so low that the actual water transportation can not exist. They have something that is better than water transportation.

I am going to support the river and harbor bill because I do not believe it is possible that Congress will permit the Interstate Commerce Commission to go ahead much longer permitting the violation of the fourth section. I believe we have come pretty near to that day, and I am so thoroughly impressed with the importance of water transportation that I am going to vote for the river and harbor bill. No man is more enthusiastic about it than I am. I have studied it carefully. I know what it means to America and I know what it means to every industry in America and to the future greatness of America.

Out in the West we have the Columbia River that is little used simply because the railroads out there have destroyed the boat lines; but how well the Eastern States have protected the

Monongahela, the Ohio, and the Allegheny Rivers, and what a great waterway it is all going to make. If we build the St. Lawrence project down to the Atlantic, it will be a simple problem, in my judgment, costing a great deal of money, but not much money for a great Government like this. I expect it can be built for less money than we have given to charity since the beginning of the war. It will have the effect of moving the Atlantic Ocean a thousand miles inland to Chicago. If we started to-morrow with the development of the inland waterways, we could not keep pace with the growth and development of our mighty country that is adding to its population a million and a half of people every year.

This other map on the wall before me is a reversed map. I have moved our western cities to the same geographical position in the East that they now occupy in the West, and I have moved Chicago to the same geographical position in the West that it occupies in the East. The purpose of thus reversing this map is to apply these freight-rate violations eastbound and show what would have been the result had Columbus landed on the west coast of America instead of the east coast and the trend of population come from the West. In that event this East would now be the great pasture of the country.

By moving Chicago to the same geographical position in the West that it now occupies in the East we have it located near to Salt Lake City, and so we have Chicago, Utah, a great industrial and manufacturing center. Transposing our western cities in the same way, we have Salt Lake in Indiana, Butte in Michigan, Billings in Illinois, Spokane in New York, Cheyenne in Iowa, Boise in Ohio, Reno in Pennsylvania, San Bernardino in West Virginia, Phoenix in Tennessee near Knoxville, Santa Fe in Tennessee near Memphis, and so on.

Taking the application for fourth section violations that is now pending before the Interstate Commerce Commission and applying it eastbound on this reversed map, we find that the railroads will haul steel from Chicago, Utah, to the Atlantic coast for 80 cents a hundred pounds, but will charge $1 a hundred if that steel is dropped off at Salt Lake, Indiana, as the train passes through. The railroads would haul dry goods from Chicago, Utah, to the Atlantic coast for $1.10 a hundred, but would charge $1.58 a hundred if it were dropped off at Billings, Illinois. The railroads would haul electrical machinery from Chicago, Utah, to the Atlantic coast for 90 cents a hundred, but would charge $1.20 a hundred if it were dropped off as the train passed through Santa Fe, Tennessee, right where Memphis is located.

I will not go into greater detail with this map, but it is an interesting study. I simply want to ask the Senators from the East and the Central East, if the trend of population had come from the Pacific Ocean, and the railroads were seeking to apply these discriminations against their people would they be fighting this injustice, or would they submit to it?

Mr. President, I may conclude to discuss the river and harbor bill. I understand the chairman of the committee who has charge of the bill is going to do an unusual thing, something that I do not remember having seen done since I have been in the Senate. He is going to move to table the amendment of the Senator from Maine, which, of course, will carry with it my amendment. If he wants the river and harbor bill to pass, in my judgment he is making a serious mistake. I believe it is possible to pass the river and harbor bill with the Cape Cod amendment and my amendment to that amendment.

I am satisfied they will be accepted in the House, and in a spirit of fairness I hope the Senator from Washington will not press his motion because it is revolutionary in character. Under the rules of the Senate it is not debatable, and it is so infrequently used that it is going to be accepted as a declaration of war. If it is desired to change the rules of the Senate and shut off debate, let us do it properly and not when a matter comes here that means the salvation of the West. The only way the West has a fighting chance here is under the rules of the Senate. When I came here at first I chafed under the rules of the Senate, and I was quite willing to vote for a change of the rules. Now, I have learned that the West has not a chance if we change those rules, and I am going to vote against any change of the rules.

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

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

Mr. GOODING. I yield.

Mr. SIMMONS. Does the Senator think it would be possible during the day to get a vote upon the Cape Cod Canal proposition, which carries his proposition with it?

Mr. GOODING. I do not know. I would like to try that and see if it can be done. I do not know whether it can be done or not. I know there is some opposition to the Cape Cod proposition from western Senators. I believe there is merit in the Cape Cod proposition, but this amendment of mine means billions to the West. It can not be measured in dollars and cents, because it means something to citizenship, it means something to that great principle which makes governments, which defends governments on the battle fields and at home and at the fireside, which is so essential to the progress and development of America. That is all. I do not know whether to yield or not. I would like to find out if we can be given a little time, and if the Senator from Washington will not press his motion I will see what the western Senators will do. Perhaps I am wasting my time.

Mr. SIMMONS. Mr. President, will the Senator pardon me again?

Mr. GOODING. Certainly.

Mr. SIMMONS. I desire to suggest to the Senator that I am in favor of the Cape Cod Canal proposition, and I am in favor of the long-and-short-haul proposition, so that I am in favor of the proposition of the Senator from Idaho and the proposition of the Senator from Maine; but I am afraid that we will not be able to get a vote upon either one of those propositions. If I sense the situation rightly, I think that there is a determined effort here not to permit a vote upon either one of those propositions and, of course, if we can get no vote upon either one of those propositions we can not get a vote upon the river and harbor bill, because they are pending as amendments to that bill. While I am for the propositions I see no hope of getting a vote upon them. It seems to me that they will simply drag down with them the river and harbor bill.

The purpose of the question I asked the Senator was this: Does the Senator believe, under the circumstances that we all know to exist here, that during this calendar day it will be possible to get a vote upon the amendment of the Senator from Maine, which carries with it the amendment of the Senator from Idaho, even if we remain in session until 11 o'clock to-night?

Mr. GOODING. I am not able to answer that question and say that we can, but I am sure we can do it if we will stand here and fight this thing out. It is a long, long time until morning, and the Senate has run over into Sunday in the past. I think there is so much at stake that we ought to stand by our guns here and put it over. I think Senators ought to be satisfied to make their case against Cape Cod in a reasonable way at this time. I am going to ask them to do that. Long before morning, if we go on, I am satisfied that an opportunity will present itself to take a vote on the Cape Cod amendment to the river and harbor bill, and on my amendment to the Cape Cod amendment, which denies to the Interstate Commerce Commission the right to permit any future violations under the fourth section of the interstate commerce act, to destroy water transportation.

Mr. SIMMONS. That is the very point I was trying to bring out. Would the Senators be willing to fix some hour in the future, to-day or to-night, when, if they do not succeed by that time in getting a vote upon their amendments, then they will withdraw them and let the bill go through?

Mr. GOODING. If I may have an opportunity, and if the Senator from Washington will withhold his motion a short time, I shall be delighted to take up that matter. I presume there are plenty of others who want to talk. Senators who are making opposition to the Cape Cod proposition are my personal friends, and I am not going to ask them to yield because of my personal friendship, but I am going to ask them in the interest of the great West, the mighty West, to let this legislation go through. I think they should do that.

Mr. SIMMONS. That is all I desire.

Mr. GOODING. Let me try it.

Mr. SIMMONS. I hope an arrangement could be made by which the Senator might have a reasonable opportunity to undertake to do that.

Mr. GOODING. It is very fine and very big of the Senator to take that position. I ask an opportunity to try it.

Mr. SIMMONS. If the Senators from Maine and Idaho will then get out of the way and let us pass the river and harbor bill, I have no objection to that sort of an arrangement. I think that is the sort of arrangement we ought to enter into. I think the Senator should have a reasonable time in which to try out his chances for getting a vote on his proposition. I do not think the Senator from Maine and the Senator from Idaho desire to kill the river and harbor bill. Of course, we can never get a vote on the river and harbor bill if we can not get a vote upon their amendments. We must pass the river and harbor bill promptly if it is to become a law. We must pass it in time to let it go to conference and let the little

differences between the House and the Senate be thrashed out. My own theory is that if we can not pass the bill some time to-night, there is very little chance of it ever becoming a law.

Mr. HEFLIN. Mr. President——

Mr. GOODING. I yield to the Senator from Alabama.

Mr. HEFLIN. I want to suggest to the Senator that I have fought for the long and short haul proposition and I am a good friend of that proposition now. The Senator has had an opportunity to discuss that very fully at the session to-day.

The Senator from Maine [Mr. FERNALD] has discussed the Cape Cod Canal proposition at length; he has gone into it very extensively. The Senator from Idaho has spoken for over three hours. I suggest to the Senator if there is any doubt about him getting his amendment through the other House, even if it should go on the river and harbor bill, that, being a friend of the river and harbor bill, as he is, he ought not now to delay it longer in the closing hours of the session.

Mr. GOODING. Mr. President, of course, the Senator from Alabama understands that, if we are going to destroy water transportation, the only interest remaining to those who want the appropriations in the pending bill is to continue potential water transportation, and not actual water transportation. The Senator knows the condition in his own State and also in other States in the South.

Mr. GOODING. Of course, I am going to vote for the river and harbor bill. Senators have been my friends here, and have stood by me in the fight I have made and aided in passing through the Senate for the first time the bill in reference to section 4 of the interstate commerce act; but I desire now to serve notice on them that from now on, if I have the strength and it comes again to a crisis like this in the case of a river and harbor bill, if Senators are not going to protect the investment that has been put into the building of the inland waterways, this is the last vote I am going to cast for a river and harbor bill. I do not believe it is possible for Congress to continue legislating in this manner.

Senators met the issue in a big way; 75 per cent of the Senate voted for an absolute "fourth section bill" very much stronger than the bill which I have presented as an amendment. So of course I am not going to do anything to injure my friends; I never do that. I have spoken a long time, but I desire that Senators shall give me an opportunity to see what can be done.

Now, Mr. President, I suggest the absence of a quorum which will give me a little opportunity possibly to ascertain what may be accomplished.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Fernald	King	Shortridge
Ball	Ferris	Ladd	Simmons
Bayard	Fess	McKellar	Smith
Bingham	Fletcher	McNary	Smoot
Borah	Frazier	Mayfield	Stanfield
Brookhart	George	Metcalf	Sterling
Broussard	Gerry	Moses	Swanson
Bruce	Glass	Norris	Trammell
Bursum	Gooding	Oddie	Underwood
Butler	Hale	Overman	Wadsworth
Cameron	Harreld	Owen	Walsh, Mass.
Capper	Harris	Pepper	Walsh, Mont.
Caraway	Harrison	Phipps	Warren
Copeland	Heflin	Pittman	Watson
Couzens	Howell	Ralston	Weller
Cummins	Johnson, Minn.	Ransdell	Wheeler
Curtis	Jones, N. Mex.	Reed, Pa.	Willis
Dial	Jones, Wash.	Robinson	
Dill	Kendrick	Sheppard	
Edge	Keyes	Shipstead	

The PRESIDENT pro tempore. Seventy-seven Senators have answered to the roll call. There is a quorum present.

Mr. JONES of Washington. Mr. President, I ask that the river and harbor bill may be temporarily laid aside in order that the Senator from Wyoming [Mr. WARREN] may have considered an appropriation bill.

The PRESIDENT pro tempore. The Senator from Washington asks unanimous consent that the pending bill be temporarily laid aside. Is there objection? The Chair hears none, and the bill is laid aside.

SETTLEMENT OF GOVERNMENT LAND IN IRRIGATION PROJECTS

During the delivery of Mr. GOODING'S speech,

Mr. SMOOT. Mr. President——

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

Mr. GOODING. I yield to the Senator; that is, I will yield for a matter that is not going to take too long.

Mr. SMOOT. If it leads to any debate, of course, I will withdraw my request.

Mr. President, last night Senate bill 4151 passed the Senate. Upon reading the RECORD this morning I find that the objection to the bill had not been withdrawn, but the President pro tempore of the Senate announced that the bill was reported to the Senate without amendment, ordered to be engrossed for a third reading, read the third time, and passed.

Mr. President, I move a reconsideration of the votes by which the bill was passed, and ask that it be recalled from the House.

Mr. STERLING. Mr. President, what is the bill?

Mr. SMOOT. It is a bill to provide for aided and directed settlement on Government land in irrigation projects. That is the object of the bill. It was introduced by the Senator from Wyoming [Mr. KENDRICK].

Mr. STERLING. What is the calendar number of the bill?

Mr. SMOOT. I will give the Senator that in a moment.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

Mr. GOODING. Mr. President, I can not yield for that purpose.

Mr. GERRY. I have made the suggestion.

Mr. SMOOT. I will say to the Senator from Rhode Island that if he will withdraw his suggestion I will withdraw my motion.

Mr. GOODING. Mr. President, I have the floor, and I decline to yield.

The PRESIDENT pro tempore. The Senator has yielded long enough to enable the Senator from Rhode Island to suggest the absence of a quorum. That necessitates a call of the Senate.

Mr. GOODING. No; I did not yield for that purpose, Mr. President.

Mr. SMOOT. Mr. President, I think the Senator will withdraw his suggestion if I withdraw my motion.

Mr. GERRY. If the Senator from Utah will withdraw his motion, I will withdraw my suggestion.

Mr. SMOOT. I will withdraw it now, because I told the Senator from Idaho that I would not press this matter if it led to any debate.

The PRESIDENT pro tempore. The motion of the Senator from Utah is withdrawn, and the Senator from Rhode Island withdraws the suggestion of the absence of a quorum.

MESSAGE FROM THE HOUSE

A message from the House of Representatives by Mr. Haltigan, one of its clerks, announced that the House had passed without amendment the following bills and joint resolutions of the Senate:

S. 1934. An act to amend, revise, and reenact section 549 of subchapter 4 of the Code of the District of Columbia relating to the appointment of deputy recorder of deeds, and fixing the compensation therefor;

S. 1935. An act to amend, revise, and reenact subchapter 3, sections 546 and 547 of the Code of Law of the District of Columbia relating to the recording of deeds of chattels;

S. 2719. An act to authorize the payment of an indemnity to the British Government on account of losses sustained by the owners of the British steamship *Baron Berwick* as the result of a collision between that vessel and the U. S. S. *Iroquois* (now *Freedom*) and a further collision with the U. S. destroyer *Truxtun;*

S. 2935. An act to authorize the collection and editing of official papers of the Territories of the United States now in the national archives;

S. 3162. An act authorizing the Postmaster General to make monthly payment of rental for post-office premises under lease;

S. 3641. An act granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River at Vantage Ferry, Wash.;

S. 3721. An act authorizing the Secretary of the Treasury to exchange the present customhouse building and site located in Denver, Colo.;

S. 4032. An act authorizing the Department of State to deliver to the Hon. Henry D. Clayton, district judge of the United States for the middle and northern districts of Alabama, and permitting him to accept the decoration and diploma presented by the Government of France;

S. 4156. An act to authorize the establishment and maintenance of a forest experiment station in California and the surrounding States;

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;

S. 4225. An act to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.;

S. 4229. An act granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C.;

S. 4264. An act authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes;

S. 4284. An act 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.;

S. 4301. An act authorizing any tribe or band of Indians of California to submit claims to the Court of Claims;

S. 4306. An act granting the consent of Congress to R. L. Gaster, his successors and assigns, to construct a bridge across the White River;

S. 4307. An act to authorize the States of Indiana and Illinois in the States of Indiana and Illinois to construct a bridge across the Wabash River at the city of Mount Carmel, Wabash County, Ill., and connecting Gibson County, Ind.;

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;

S. 4320. An act to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.;

S. 4352. An act to create an additional judge in the district of Minnesota;

S. J. Res. 28. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol;

S. J. Res. 178. Joint resolution to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay;

S. J. Res. 184. Joint resolution authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925; and

S. J. Res. 186. Joint resolution authorizing the sale of the old Federal building at Toledo, Ohio.

The message also announced that the House had passed the joint resolution (S. J. Res. 187) providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes, with amendments, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTION SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolution, and they were thereupon signed by the President pro tempore:

S. 827. An act for the relief of Jessie M. White;

S. 1237. An act for the relief of settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes;

S. 1323. An act for the relief of Eugene K. Stoudemire;

S. 1573. An act for the relief of Samuel S. Weaver;

S. 1725. An act for the relief of Rubie M. Mosley;

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.;

S. 2399. An act to provide and adjust penalties for violation of the navigation laws, and for other purposes;

S. 2503. An act for the relief of W. H. King;

S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army;

S. 2534. An act for the relief of J. E. Saucier;

S. 2745. An act to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes;

S. 2865. An act to define the status of retired officers of the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions, and for other purposes;

S. 2879. An act for the relief of James E. Jenkins;

S. 3666. An act for the exchange of lands in the Custer National Forest, Mont.;

S. 3824. An act to provide for the appointment of a leader of the Army Band;

S. 3899. An act to create a Library of Congress trust fund board, and for other purposes;

S. 3977. An act to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army Mine Planter Service;

S. 4015. An act to authorize the Secretary of the Interior to sell to the city of Los Angeles certain lands in California heretofore purchased by the Government for the relief of homeless Indians;

S. 4087. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.";

S. 4178. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey;

S. 4179. An act to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey;

S. 4203. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Kill Van Kull between the States of New York and New Jersey;

S. 4230. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American centennial;

S. 4325. An act authorizing the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.;

H. R. 1948. An act for the relief of Samuel Friedman, as trustee for the heirs and devisees of B. Friedman, deceased, and Henry Mills, and as trustee or the heirs and devisees of Emanuel Loveman, deceased;

H. R. 11444. An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes; and

S. J. Res. 163. Joint resolution to accept donations of furniture and furnishings for use in the White House.

SESQUICENTENNIAL EXHIBITION

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the joint resolution from the Senate (S. J. Res. 187) providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes, which were, on page 3, line 19, to strike out "$1.50" and insert "$2.50"; on page 3, line 20, to strike out "five" and insert "two"; and on page 4, to strike out lines 21 to 24, inclusive, and on page 5 strike out lines 1 and 2.

Mr. PEPPER. I move that the Senate concur in the amendments made by the House to this measure.

The motion was agreed to.

SECOND DEFICIENCY APPROPRIATIONS

Mr. WARREN. I ask unanimous consent that the Senate proceed to the consideration of House bill 12392, being the deficiency appropriation bill.

The PRESIDENT pro tempore. The Senator from Wyoming asks unanimous consent that Order of Business No. 1320, being House bill 12392, the deficiency appropriation bill, be taken up by the Senate. Is there objection?

Mr. PEPPER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Pennsylvania rise to object?

Mr. PEPPER. I do not rise to object. I rise to make a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. PEPPER. Am I right in understanding that, subject to the unanimous-consent agreement which no doubt will presently be made, the undisposed-of business before the Senate is House bill 8887, the bill to consoldidate national banking associations, and so forth.

The PRESIDENT pro tempore. The Chair understands, according to the present status, that the Senator from Pennsylvania can call up the bill to which he refers at any time; it is the unfinished business.

Mr. PEPPER. I thank the Chair for answering my inquiry. I have no objection to the request of the Senator from Wyoming.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming?

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12392) making ap-

propriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. Mr. President, this bill contains many amendments and is quite long. I make the usual request, and ask unanimous consent that the formal reading of the bill may be dispensed with and that the bill be read for amendment, the committee amendments to be first considered.

The PRESIDENT pro tempore. Is there objection to the request of the Senator from Wyoming? The Chair hears none, and it is so ordered.

Mr. BORAH. Mr. President, before we proceed with the reading of the bill I desire to say that it is my purpose to offer an amendment to this bill which, if objected to, will require a suspension of the rule. At this time I am going to ask unanimous consent that the amendment may be offered by me at the proper time without objection.

Mr. WARREN. Mr. President, the chairman of the Committee on Appropriations would like to know to what subject the amendment relates before giving consent.

Mr. BORAH. Mr. President, the amendment is at the desk, and I ask that it may be read.

The PRESIDENT pro tempore. The Secretary will read as requested.

The CHIEF CLERK. It is proposed to add at the proper place in the bill the following:

SECTION 1. That the following provision contained in H. R. 12101, being the legislative appropriation bill, passed and approved February —, 1925, reading as follows:

"SEC. 4. That section 4 of the legislative, executive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as follows: 'That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $10,000 per annum each.'"

be, and the same is hereby, repealed.

SEC. 2. That on and after the passage and approval of this act the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $12,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $7,500 per annum each.

The PRESIDENT pro tempore. Does the Senator from Idaho offer the amendment at this time?

Mr. BORAH. I do not formally offer it, but I now ask unanimous consent that the amendment may be offered when it is proposed, without objection under the rule requiring a suspension of the rule.

Mr. WARREN. It is rather an extraordinary request. I think it is the only one of its kind of which I ever knew.

The PRESIDENT pro tempore. The Senator has said that the amendment would not be in order, and the Chair does not see what action can be taken at this time about the matter.

Mr. WARREN. Mr. President, I think it is my duty to state that whatever privileges the chairman of the committee may have as against any amendment which may be offered which he may consider contrary to the rule will be a matter, of course, for the Senate to decide.

Mr. BORAH. Mr. President, I have given notice of a motion to suspend the rules, and the notice has been on file for several days. I simply desired to save time by asking that this amendment might be in order without objection under the rules.

Mr. HEFLIN. Mr. President, in order to save time, I object.

Mr. WARREN. Mr. President, I wish to say at this time that I do not want to take from the Senator any of the privileges to which he is entitled; but this is a rather extraordinary request, and it has now been objected to. I think the matter had better come up in the usual way, and at that time the request may be made for unanimous consent. Whether or not it will be granted, I do not know.

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

The Chief Clerk proceeded to read the bill.

The first amendment of the Committee on Appropriations was, on page 2, line 9, after the heading "Legislative," to insert the subhead "Senate" and the following:

To pay to Edward D. Brandegee, Martina E. Brandegee, Clarence B. Wood, and John Brandegee Wood, next of kin and sole surviving heirs-at-law of Hon. Frank B. Brandegee, late a Senator from the State of Connecticut, $7,500.

The amendment was agreed to.

The next amendment was, on page 2, after line 14, to insert:

To enable the Secretary of the Senate to pay from the appropriation for clerical assistance to Senators for the fiscal year 1925, to Margaret W. McCulloch for services rendered as additional clerk to Hon. RICE W. MEANS, a Senator from the State of Colorado, from December 11, 1924, to December 31, 1924, both dates inclusive, at the rate $1,520 per annum.

The amendment was agreed to.

The next amendment was, on page 2, after line 21, to insert:

To pay Alexander K. Meek for extra and expert services rendered to the Committee on Pensions during the second session of the Sixty-eighth Congress as an assistant clerk to said committee, by detail from the Bureau of Pensions, $1,200.

The amendment was agreed to.

The next amendment was, on page 3, after line 2, to insert:

For payment, in monthly installments, for services rendered the Senate, fiscal year 1925, as follows: Fred A. Eckstein, $860; Agnes E. Locke, $630.50; and Joseph E. Johnson, $494; in all, $1,984.50.

The amendment was agreed to.

The next amendment was, on page 3, after line 6, to insert:

For payment, in monthly installments, for services rendered the Senate, fiscal year 1925, as follows: William A. Walling, $330; Paul Bachschmid, $410; Lewis A. Nalls, $280; Harry Walling, $410; James W. McGinn, $410; Richard Blunt, $130; in all, $1,970.

Mr. WARREN. Mr. President, in that paragraph I wish to make a correction, which I send to the desk. The initial of the party first named should be changed.

Mr. KING. Mr. President, in brief, what are the services rendered that call for the appropriations in lines 7 to 14, on page 3?

Mr. WARREN. I will say to the Senator that those are employees who are skilled mechanics, who have been long with the Senate and who, when the classifications were made, were either understood to be mechanical employees, and therefore not to be graded with the others, or there may have been an oversight. At any rate, they did not receive the benefits which they should have received and therefore an amendment has been offered, which has not been allowed in full, but a portion of it has been, to make their salaries under the classification act somewhere near equal to those obtained in the same lines of business by citizens outside of Government employment.

Mr. KING. While the Senator is on his feet, to avoid my calling attention to the matter again, I call attention to lines 15 to 17, an item of $827. It seems to me that we made an appropriation at the last session for the same individual.

Mr. WARREN. I think the books will show that the Senator is mistaken about that.

Mr. KING. That is my best recollection. Still, I would not challenge the recollection of the Senator, because he is in a position to know with regard to that.

Mr. WARREN. The $827 item is entirely new.

Mr. KING. Very well. That is satisfactory.

The PRESIDENT pro tempore. The Senator from Wyoming offers an amendment to the amendment, which will be stated.

The CHIEF CLERK. On page 3, line 8, after the word "William," it is proposed to strike out "A." and insert "L.," so that it will read "William L. Walling."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The reading of the bill was resumed.

The next amendment was, on page 3, after line 11, to insert:

For messenger to the Committee on Foreign Relations, at the rate of $1,260 per annum, from March 4, 1925, to June 30, 1926, both dates inclusive, $1,673.

The amendment was agreed to.

The next amendment was, on page 3, after line 15, to insert:

For payment of medical expenses of James F. Sellers, an employee of the Senate, incurred by reason of injuries received while in the discharge of his duties, $827.

The amendment was agreed to.

The next amendment was, on page 3, after line 17, to insert:

For expenses of inquiries and investigations ordered by the Senate, including compensation to stenographers to committees, at such rate as may be fixed by the Committee to Audit and Control the Contingent Expenses of the Senate, but not exceeding 25 cents per 100 words, fiscal year 1925, $40,000.

The amendment was agreed to.

The next amendment was, on page 3, after line 23, to insert:

For stationery for Senators and the President of the Senate, fiscal year 1925, $3,000.

The amendment was agreed to.

The next amendment was, on page 4, after line 19, to insert:

BIOGRAPHICAL CONGRESSIONAL DIRECTORY

To enable the Secretary of the Senate to pay, upon vouchers approved by the chairman or vice chairman of the Joint Committee on Printing, for preparing a new edition of the Biographical Congressional Directory, as provided for in House concurrent resolution adopted February 6, 1925, $7,500, to remain available until June 30, 1926; and said sum or any part thereof, in the discretion of the chairman or vice chairman of the Joint Committee on Printing, may be paid as additional compensation to any employee of the United States and shall continue to be available until expended.

Mr. WARREN. Mr. President, in connection with that amendment, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Wyoming offers an amendment to the amendment, which will be stated.

The CHIEF CLERK. On page 5, lines 5 and 6, it is proposed to strike out:

and shall continue to be available until expended.

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. MCKELLAR. Mr. President, I call the Senator's attention to line 23 on page 4, where the word "preparing" is spelled wrongly. I do not know whether that correction ought to be made by order of the Senate or not. I ask unanimous consent that it may be made.

The PRESIDENT pro tempore. Without objection, it will be corrected.

The reading of the bill was resumed.

The next amendment was, under the subhead "House of Representatives," on page 6, after line 8, to insert:

For stationery for Representatives, Delegates, and Resident Commissioners, fiscal year 1925, $125.

The amendment was agreed to.

The next amendment was, under the subhead "Architect of the Capitol," on page 7, after line 8, to insert:

Senate Office Building: For maintenance, miscellaneous items, and supplies, and for all necessary personal and other services for the care and operation of the Senate Office Building, under the direction and supervision of the Senate Committee on Rules, fiscal year 1925, $5,000.

The amendment was agreed to.

The next amendment was, on page 7, after line 13, to insert:

For construction of a three-room suite on the first floor B Street corridor of the Senate Office Building, including partitions of terra cotta, mahogany doors, trims, molding, etc., fiscal year 1925, $4,000.

Mr. HARRIS. Mr. President, before that amendment is passed on I wish to ask the chairman of the Rules Committee about this appropriation.

Some months ago I told the chairman of the Rules Committee and the Senator from New Hampshire [Mr. MOSES] that I wanted more desirable rooms, if I could get them, and if my length of service would entitle me to those rooms. They both told me, and they have told other Senators, that the ranking minority Senator who applied for them could get the rooms that the Senator from Oklahoma [Mr. OWEN] was to give up, and I filed a letter, as they suggested asking for those rooms. This week I am told that a new Senator will take those rooms over me. Here is an appropriation for three additional rooms, and I desire to know how the minority is going to be treated before I vote on this proposition.

Mr. CURTIS. Mr. President, the minority of the Senate will have three less Members in the next Congress than they have now, and yet we propose to give them the same number of three-room suites that they have now. In addition to that, we are trying to arrange the Senate Office Building as fast as we can so as to give additional three-room suites to Members of the Senate.

Mr. HARRIS. Mr. President, my understanding is that some of the Senators have four rooms, and I desire to know if the chairman of the Rules Committee will not give the Senate a statement as to exactly the number of rooms that each Senator has and where they are.

Mr. CURTIS. One Democratic Senator has four rooms, and one Republican Senator has four rooms. The Democratic Senator has agreed to exchange one of his rooms for another, which will permit us to make one additional three-room suite. In the case of the Republican Senator who has four rooms, one of them at least is very undesirable, and nobody except that Senator has desired those rooms. We are doing the best we can to get the room matter settled and ironed out satisfactorily. It is utterly impossible to accommodate everybody.

Mr. HARRIS. Mr. President, I desire to know if the chairman of the Rules Committee will not give the Senate the information I asked, showing exactly the number of rooms each Senator has, and how much space he has. I think we are entitled to that.

Mr. CURTIS. Mr. President, if the Senator wants to know the number of rooms, I think the chairman of the subcommittee has it. If he has not, I am perfectly willing to let everybody know how many rooms each Senator has. There is nothing to hide from anyone. We have carried out the policy that has been carried out all along, and I think we treated the Senator from Georgia very kindly at the last session, when he asked for a change of rooms. I understand that he has been offered now his choice of certain three-room suites that are to be vacated by minority Senators.

Mr. HARRIS. These Senators came in here at the same time that I did, and their rooms are not desirable. Mr. President, I have a room that a Senator on the other side of the Chamber who came in two years after I did gave up because it was not desirable. I would not have said anything about this matter had not the chairman of the Rules Committee and the Senator from New Hampshire [Mr. MOSES] said that the ranking Democrat who filed on Senator OWEN's rooms would be the one to get them. I did that, and I did not get them.

Mr. MOSES. Mr. President, I can not——

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the committee.

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, on page 7, after line 17, to insert:

For carpets and rugs for the new suite, including installation of a toilet in room 350, fiscal year 1925, $1,500.

The amendment was agreed to.

The next amendment was, on page 8, after line 23, to insert:

ARLINGTON MEMORIAL BRIDGE COMMISSION

For commencing the construction of the Arlington Memorial Bridge across the Potomac River at Washington, authorized in an act entitled "An act 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," approved February 24, 1925, to be expended in accordance with the provisions and conditions of the said act, $500,000, to remain available until expended.

The amendment was agreed to.

The next amendment was, under the heading "District of Columbia, general expenses," on page 11, after line 1, to insert:

EXECUTIVE OFFICE

For personal services in accordance with the classification act of 1923, fiscal years 1925 and 1926, $6,600.

The amendment was agreed to.

The next amendment was, on page 11, after line 10, to insert:

OFFICE OF CORPORATION COUNSEL

For personal services in accordance with the classification act of 1923, fiscal years 1925 and 1926, $4,000.

The amendment was agreed to.

The next amendment was, under the subhead "Contingent and miscellaneous expenses," on page 12, after line 22, to insert:

For general contingent and miscellaneous expenses, including personal services in accordance with the classification act of 1923, purchase and installation of traffic lights, signals, controls, and markers, painting white lines, traffic surveys, city planning in relation to traffic regulation and control, and such other expenses as may be necessary in the judgment of the commissioners, fiscal years 1925 and 1926, $50,000.

Mr. KING. Mr. President, may I ask the Senator whether any part of that is chargeable to the District funds, or is it all to come out of the Treasury of the United States?

Mr. WARREN. Some of it is to be charged at the rate of 50–50, some at 40–60, and some will be regulated hereafter according to what the law may be when this session adjourns.

Mr. KING. Unless there is some language indicating the source of its payment, it would obviously come from the Treasury of the United States.

Mr. WARREN. The division of the funds is provided for on page 24.

Mr. KING. Does that provision make an allocation of this $50,000?

Mr. WARREN. The allocation is not made in dollars and cents at the present time, for this year, because things must be adjusted in accordance with the lump sum which may be appropriated. Last year the appropriation was $9,000,000. This year it was started at $9,000,000, but the bill is still in conference, with a difference between $9,000,000 and $11,000,000.

Mr. KING. The only point I am trying to get at is this, that unless there is something which subsequently qualifies this language, it would call for the payment of the entire $50,000 out of the Treasury of the United States, and none of it would be chargeable to the District of Columbia.

Mr. WARREN. I think my answer covers that. I will ask the Senator to wait until we get to page 24.

Mr. SMOOT. On page 24, beginning with line 17, the bill states just exactly how the division will be made.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, at the top of page 19, to insert:

HEALTH DEPARTMENT

For enforcement of the provisions of the several acts for the prevention of contagious diseases in the District of Columbia, including the same objects specified under this head in the District of Columbia appropriation act for the fiscal year 1925, $5,000.

The amendment was agreed to.

The next amendment was, under the subhead "Improvement and care of public Grounds," on page 22, after line 10, to insert:

For expenses incident to the removal of all construction work which has been done on the proposed bathhouse on the west side of the Tidal Basin and for the restoration of the grounds to their original park condition, to be immediately available and to remain available until expended, for expenditure under the Office of Public Buildings and Public Parks of the National Capital, $10,000.

Mr. WARREN. I send to the desk an amendment to that amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. On line 14 to strike out the words "to be immediately available and to remain available until expended," and on line 17, after the word "Capital," to insert the words "for the fiscal years 1925 and 1926."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, under the heading "Department of Agriculture," on page 25, after line 17, to insert:

OFFICE OF EXPERIMENT STATIONS

General expenses: To carry into effect the provisions of an act entitled "An act to authorize the more complete endowment of agricultural experiment stations," approved February 24, 1925, fiscal year 1926, $960,000.

The amendment was agreed to.

The next amendment was, on page 27, after line 3, to insert:

For special investigation of alfalfa diseases, including personal services, traveling and other expenses in connection therewith, $10,000, to remain available until June 30, 1926.

The amendment was agreed to.

The next amendment was, on page 28, after line 20, to strike out:

BUREAU OF PLANT INDUSTRY

For special investigation of alfalfa troubles, including personal services, traveling and other expenses in connection therewith, $10,000, to remain available until June 30, 1926.

The amendment was agreed to.

The next amendment was, under the heading "Department of Commerce," on page 32, after line 6, to insert:

BUREAU OF NAVIGATION

Wireless communication laws: To enable the Secretary of Commerce to enforce the acts of Congress "to require apparatus and operators for radio communication on certain ocean steamers" and "to regulate radio communication" and carry out the international radio telegraphic convention, examine and settle international radio accounts, including personal services in the District of Columbia, and to employ such persons and means as may be necessary, traveling and subsistence expenses, purchase, and exchange of instruments, technical books, tabulating, duplicating, and other office machinery and devices, rent, and all other miscellaneous items and necessary expenses not included in the foregoing, $125,000, to remain available until June 30, 1926.

The amendment was agreed to.

The next amendment was, under the heading "Department of the Interior, Bureau of Indian Affairs," on page 35, after line 4, to insert:

Chemawa Indian School, Oregon: For the Chemawa Indian School, Oregon, including the same objects specified under this head in the act making appropriations for the Department of the Interior for the fiscal year 1925, $8,000.

The amendment was agreed to.

The next amendment was, on page 38, after line 3, to insert:

For payment of certain local taxes to the counties of Stevens and Ferry, in the State of Washington, on allotted Colville Indian lands, as provided by the act of June 7, 1924, $115,767.67, or so much thereof as may be necessary.

The amendment was agreed to.

The next amendment was, under the heading "Bureau of Reclamation," on page 39, after line 1, to insert:

For printing and binding for the Department of the Interior, including all of its bureaus, offices, institutions, and services in Washington, D. C., and elsewhere, $3,000, to be paid out of the special fund in the Treasury of the United States created by the act of June 17, 1902, and therein designated "the reclamation fund," to be immediately available.

Mr. WARREN. I submit a committee amendment to this amendment.

The PRESIDENT pro tempore. The Secretary will state the amendment to the amendment.

The CHIEF CLERK. On page 39, line 7, to strike out the words "to be immediately available."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 39, after line 8, to insert:

To pay to Mary McConnell, of Santa Fe, N. Mex., out of the special fund in the Treasury of the United States created by the act of June 17, 1902, and therein designated "the reclamation fund," for services rendered to the United States in compiling data in the matter of the adjudication of water rights upon the Pecos River, N. Mex., $289.

The amendment was agreed to.

The next amendment was, on page 41, after line 4, to insert:

The funds included in the Army and Navy appropriation acts for the production or purchase of helium for the fiscal year ending June 30, 1926, in such amounts as may be determined by the President, not to exceed a total of $1,000,000, shall be transferred on the books of the Treasury for expenditure by the Bureau of Mines for like purposes.

Mr. WARREN. I send to the desk an amendment to take care of a correction which was brought to our attention last night.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. On page 41, line 5, to strike out the words "Army and Navy" and to insert in lieu thereof the words "War and Navy Departments."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

Mr. HARRELD. May I ask the Senator from Wyoming the special purpose of this appropriation?

Mr. WARREN. Does the Senator refer to the amendment just offered?

Mr. HARRELD. The whole appropriation, for the purpose of developing a supply of helium.

Mr. WARREN. The production of helium has already been provided for by legislation, but under the present law so much is appropriated for the Army and so much for the Navy for that purpose. It is now proposed to assemble all the efforts in that direction under one head. This appropriates no money.

Mr. HARRELD. This has nothing to do with the development of new sources of supply of helium?

Mr. WARREN. The conference report on the bill to which I have referred was agreed to only night before last. It is in charge of the Senator from New York [Mr. WADSWORTH]. I understand this amendment would combine the two activities now engaged along this line.

Mr. HARRELD. It has nothing to do with discovering new supplies?

Mr. WARREN. No.

Mr. HARRELD. I want to say in that connection that I think the departments and Congress are both overlooking a very important condition which exists. There is a certain section of country in northern Texas and southern Oklahoma where helium is produced; that is practically the only territory where it is produced. There ought to be some permanent appropriation made to develop a permanent supply of helium and protect it, because it is being wasted.

Mr. REED of Pennsylvania. Mr. President, will the Senator yield?

Mr. HARRELD. I yield.

Mr. REED of Pennsylvania. At the present time there are three branches of the Government which are interested in the production of helium. We have consolidated the activities along this line, by a bill recently passed, in the Bureau of Mines. The Senate has passed the bill, as has the House, and there is a conference report still pending in the House.

This legislation merely supports that new legislation. The Bureau of Mines will continue to develop and conserve those helium-bearing gas fields in northern Texas and southern Oklahoma. That natural gas runs nearly 3 per cent in helium, and no other natural gas in the country does. It is the intention to continue the activity in developing the helium and preventing the waste of those gases which is going on to-day.

Mr. HARRELD. My purpose in calling attention to it at this particular time was that I happen to know there is drilling going on through the strata that contain the helium. I wondered if attention had been called to that.

Mr. REED of Pennsylvania. Yes.

Mr. HARRELD. There is legislation looking to that end?

Mr. REED of Pennsylvania. That is the purpose of putting the matter in the Bureau of Mines, so that it will be intelligently developed and conserved.

Mr. SMOOT. Helium is produced in other States besides Oklahoma and Texas, and this provision gives the Bureau of Mines authority over its production. It is not produced on private holdings; it is produced from public lands. In the State of Utah, for instance, there is the richest helium well on earth that I know of. That was developed under lease by private parties. Just as soon as they struck the helium the lease was canceled immediately and the property taken by the Government, and it will be operated by the Bureau of Mines under the provisions of the measure just passed.

Mr. HARRELD. I understand, the whole thing is taken care of by other legislation. I simply wanted to call attention to the fact that it is being wasted in enormous quantities in northern Texas and southern Oklahoma.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

The next amendment was, under the heading "Department of Justice, judicial," on page 44, after line 10, to insert:

For expenses of commissioners of the Court of Claims, including salaries of seven commissioners at $5,000 each, travel expenses, compensation of stenographers authorized by the court, and for stenographic and other fees and charges necessary in the taking of testimony and in the performance of the duties prescribed in the act entitled "An act to authorize the appointment of commissioners by the Court of Claims and to prescribe their powers and compensation," approved February 24, 1925, fiscal year 1926, $69,000.

Mr. WARREN. I desire to amend the amendment on page 44.

The PRESIDENT pro tempore. The Secretary will state the amendment.

The CHIEF CLERK. On page 44, in line 19, strike out "fiscal year 1926" and insert in lieu thereof "fiscal years 1925 and 1926."

The amendment to the amendment was agreed to.

The amendment as amended was agreed to.

The next amendment was, on page 46, after line 12, to insert:

For the purchase of law books, including the exchange thereof, for United States judges, district attorneys, and other judicial officers, including the libraries of the United States Circuit Court of Appeals, and including the purchase of United States Supreme Court Reports and the Federal Reporter, to be expended under the direction of the Attorney General but subject to the approval of the conference of senior circuit judges established by section 2 of the act of September 14, 1922 (42 Stat. L. p. 837): *Provided*, That such books shall in all cases be transmitted to their successors in office; all books purchased thereunder to be marked plainly "The property of the United States," fiscal years 1925 and 1926, $193,000.

The amendment was agreed to.

The next amendment was, under the heading "Navy Department," on page 52, after line 7, to insert:

BUREAU OF YARDS AND DOCKS

For contingent expenses and minor extensions and improvements of public works at navy yards and stations, fiscal year 1925, $50,000.

The amendment was agreed to.

Mr. KENDRICK. Mr. President, I desire to call attention to an amendment already agreed to, which is to be found on page 38, beginning with line 4. I note that this has to do with the payment of taxes, and knowing something of the attitude of the Senator from Washington as an economist, I desire to ask about this amendment.

Mr. WARREN. I did not hear the Senator's statement.

Mr. KENDRICK. I desire to ask the Senator from Washington if he approves of this amendment on page 38, beginning with line 4?

Mr. WARREN. The Senator from Washington offered the amendment, and I will ask him to explain it.

Mr. JONES of Washington. Certainly.

Mr. KENDRICK. I happen to know that the Senator from Washington is a pronounced economist, as I said a moment ago, and opposed to spending Government funds unnecessarily.

Mr. JONES of Washington. Yes; but I am in favor of complying with legislative requirements and paying our honest debts.

Mr. KING. Why do we owe this?

Mr. JONES of Washington. We have investigated this two or three times, and upon the recommendation of the department and upon the recommendation of its representatives who investigated this matter pursuant to the direction of Congress and in pursuance of a law passed by Congress and signed by the President requiring this, this appropriation is made.

Mr. KENDRICK. The Senator from Washington admits, then, that it is an honest debt?

Mr. JONES of Washington. Yes.

Mr. GLASS. I desire to offer a committee amendment on page 8. My attention was diverted during the reading of the bill and I failed to offer it at the time that point was reached.

The PRESIDENT pro tempore. The Senator from Virginia offers a committee amendment which will be stated.

The CHIEF CLERK. On page 8, after line 1, insert:

UNITED STATES COMMISSION FOR THE CELEBRATION OF THE TWO HUNDREDTH ANNIVERSARY OF THE BIRTH OF GEORGE WASHINGTON

For all necessary expenditures by the United States Commission for the Celebration of the Two Hundredth Anniversary of the Birth of George Washington, including compensation of employees and expert advisors, and traveling and other expenses of the commission, as provided by Public Resolution No. 38, approved December 2, 1924, fiscal year 1925, to remain available until expended, $10,000.

Mr. WARREN. That is offered in behalf of the committee and it is correct.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Post Office Department, office of the Second Assistant Postmaster General," on page 56, line 9, after the word "exceed," to strike out "$250,000" and insert "$500,000," so as to read:

Not to exceed $500,000 of the appropriation for railroad transportation and mail messenger service contained in the Treasury and Post Office Departments appropriation act for the fiscal year 1926 shall be available to meet such contracts as the Postmaster General may enter into during the fiscal year 1926 under the act entitled "An act to encourage commercial aviation and to authorize the Postmaster General to contract for air mail service," approved February 2, 1925.

The amendment was agreed to.

The next amendment was, under the subhead "International obligations, commissions, bureaus, and so forth," on page 63, after line 15, to insert:

Traffic in habit-forming narcotic drugs: The appropriation made by "An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes," for the expenses of the participation of the United States in one or both of the international conferences to be called to agree upon a plan to enforce The Hague opium convention is hereby made available for the payment to Mrs. Elizabeth Washburn

Wright (Mrs. Hamilton Wright), for compensation for services rendered by her in preparation for the said conferences for the period from December 1, 1923, to June 15, 1924.

The amendment was agreed to.

The next amendment was, under the subhead "Public buildings," on page 72, line 8, after the figures "1925," to strike out "$75,000" and insert "$100,000," so as to make the paragraph read:

Furniture and repairs of furniture: For furniture, carpets, and repairs of same for completed and occupied public buildings under the control of the Treasury Department, etc., including the same objects specified under this head in the act making appropriations for the Treasury and Post Office Departments for the fiscal year 1925, $100,000.

The amendment was agreed to.

Mr. ASHURST. Mr. President, I wish to make an inquiry. On page 62, line 13, I ask the Chairman if that is the correct amount?

Mr. WARREN. Yes; that is correct.

Mr. SMOOT. That is the payment of per diem in lieu of subsistence.

Mr. ASHURST. It is a per diem?

Mr. SMOOT. Yes. It is the same as existing law.

The next amendment of the Committee on Appropriations was, under the subhead "Rivers and harbors," on page 76, after line 15, to insert:

For the amount found to be due De Witt & Shobe, of Glasgow, Mo., under their contracts dated June 12, 1915, being an additional allowance under the provisions of section 10, river and harbor act, approved March 2, 1919, for rental value of contractor's plant, which item was not included in the amount of the previous claim of the contractor as listed in House Document No. 997, Sixty-sixth Congress, $1,052.43.

The amendment was agreed to.

The next amendment was, under the subhead "Buildings and grounds in and around the District of Columbia," on page 77, line 5, to increase the appropriation for extraordinary repairs to the elevator and machinery of the Washington Monument, fiscal year 1925, from "$10.000" to "$30,000."

The amendment was agreed to.

The next amendment was, under the heading "Judgments, United States courts," on page 80, line 12, after the figures "632" to insert "and Senate Document No. 213."

Mr. WARREN. I ask that the amendment be disagreed to.

The amendment was rejected.

Mr. WARREN. I send to the desk an amendment to add to the end of the paragraph just passed.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 80, lines 12 and 13, in lieu of the amendment just disagreed to insert the following:

And Senate Documents Nos. 213 and 222.

The amendment was agreed to.

The next amendment of the Committee on Appropriations was, under the heading "Judgments, United States courts," on page 80, at the beginning of line 14, to strike out "$5,389.89" and insert "$8,077.10"; at the beginning of line 15, to strike out "$10,160.70" and insert "$10,718.59"; and at the end of line 15, to strike out "$15,550.59" and insert "$18,795.69," so as to make the paragraph read:

For payment of judgments, including costs of suits, rendered against the Government of the United States, by United States district courts under the provisions of certain private acts, certified to the Sixty-eighth Congress in House Document No. 632 and Senate Document No. 213, as follows: Under the War Department, $8,077.10; under the Navy Department, $10,718.59; in all, $18,795.69. None of the judgments contained herein shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, on page 80, after line 17, to insert:

To pay final judgment rendered by United States District Court for the Southern District of New York, on January 13, 1925, in favor of Jens Samuelsen and B. Olsen (owners of Norwegian bark *Thekla*) against the United States of America (steamship *F. J. Luckenbach*), on mandate of the United States Supreme Court, amount of judgment $154,837.96, together with interest thereon at 5 per cent per annum from February 5, 1923, until date of judgment, January 13, 1925, and costs, $15,064.47, amounting in all to $169,902.43, together with further interest at 5 per cent per annum from date of entry, January 13; 1925, until the date of payment, as fully set forth and certified in Senate Document No. 214, Sixty-eighth Congress.

The amendment was agreed to.

Mr. WARREN. I desire to send to the desk an amendment to follow the amendment just agreed to.

The PRESIDENT pro tempore. The amendment submitted by the Senator from Wyoming will be stated.

The CHIEF CLERK. On page 81, after line 6, insert:

For payment of judgment, including costs of suit, rendered against the Government of the United States by the United States District Court for the District of Massachusetts under the provisions of an act entitled "An act for the relief of the owners of the barge *Havana*," approved March 4, 1923 (42 Stat. pt. 2, p. 1794), certified to the Sixty-eighth Congress in Senate Document No. 223, as follows:

Under the Navy Department, $5,290.30.

None of the judgments contained herein shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

The next amendment was, under the heading "Judgments, Court of Claims," on page 81, line 10, after the figures "633" to insert "and Senate Document No. 211"; at the end of line 12, to strike out "$20,745.43" and insert "$27,171.85"; in line 14, after the name "War Department," to strike out "$668,163.45" and insert "$669,670.29," and in line 15, after the word "all" to strike out "$702,504.42" and insert "$710,437.68," so as to make the paragraph read:

For payment of the judgments rendered by the Court of Claims and reported to the Sixty-eighth Congress in House Document No. 633 and Senate Document No. 211, namely: Under the Department of Labor, $1,095.54; under the Navy Department, $27,171.85; under the Treasury Department, $12,500; under the War Department, $669,670.29; in all, $710,437.68; together with such additional sum as may be necessary to pay interest on certain of the judgments at the legal rate per annum as and where specified in said judgments. None of the judgments contained herein shall be paid until the right of appeal shall have expired.

The amendment was agreed to.

Mr. WARREN. There are quite a large number of committee amendments involving audited claims and judgments of the courts, which have come in since we commenced the consideration of the bill. It was the intention of the committee to bring in up to the last minute such judgments of the court and audited claims as could be presented.

The next amendment was, under the heading "Audited claims," on page 89, after line 21, to insert:

AUDITED CLAIMS

SEC. 3. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1922 and prior years unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 212, reported to Congress at its present session, there is appropriated as follows:

INDEPENDENT OFFICES

For medical and hospital services, Veterans' Bureau, $21,462.67.

For salaries and expenses, Veterans' Bureau, $105.03.

For vocational rehabilitation, Veterans' Bureau, $7,342.54.

DEPARTMENT OF AGRICULTURE

For general expenses, Bureau of Animal Industry, $4.58.

DEPARTMENT OF THE INTERIOR

For protecting public lands, timber, etc., 55 cents.

For Indian schools, support, $1,395.30.

DEPARTMENT OF JUSTICE

For detection and prosecution of crimes, $2,725.

For salaries, fees, and expenses of marshals, United States courts, $363.96.

For pay of special assistant attorneys, United States courts, $71.21.

For fees of commissioners, United States courts, $162.60.

For fees of witnesses, United States courts, $6.30.

For miscellaneous expenses, United States courts, $1,317.09.

NAVY DEPARTMENT

For pay of the Navy, $725.07.

For organizing the Naval Reserve Force, $351.44.

For maintenance, quartermaster's department, Marine Corps, $6.75.

For pay, Marine Corps, $130.50.

For transportation, Bureau of Navigation, $3.73.

For aviation, Navy, $100.

For pay, miscellaneous, $214.

For engineering, Bureau of Engineering, $116.30.

DEPARTMENT OF STATE

For salaries, Consular Service, $421.44.

TREASURY DEPARTMENT

For increase of compensation, Treasury Department, $6.67.
For collecting the revenue from customs, $357.56.
For collecting the war revenue, $33.33.
For enforcement of narcotic and national prohibition acts, internal revenue, $13.
For Coast Guard, $293.80.
For materials and miscellaneous expenses, Bureau of Engraving and Printing, $6,080.12.
For pay of personnel and maintenance of hospitals, Public Health Service, $823.92.
For medical and hospital services, Public Health Service, $119.70.
For repairs and preservation of public buildings, $164.
For pay of assistant custodians and janitors, $129.50.
For operating force for public buildings, $145.24.
For operating supplies for public buildings, $6.

WAR DEPARTMENT

For registration and selection for military service, $4.
For increase of compensation, War Department, 77 cents.
For pay, etc., of the Army, $21,691.19.
For arrears of pay, bounty, etc., $3.54.
For pay, etc., of the Army, war with Spain, $25.
For increase of compensation, Military Establishment, $8,714.36.
For mileage to officers and contract surgeons, $307.01.
For subsistence of the Army, $25.
For clothing and equipage, $7.47.
For Army transportation, $747.21.
For general appropriations, Quartermaster Corps, $3,377.73.
For supplies, services, and transportation, $10,488.10.
For signal service of the Army, $200.66.
For ordnance service, $764.48.
For ordnance stores and supplies, $72.56.
For armament of fortifications, $1,864.18.
For arming, equipping, and training the National Guard, $126.17.

POST OFFICE DEPARTMENT—POSTAL SERVICE

For city delivery carriers, $96.87.
For clerks, third-class post offices, $180.
For compensation to postmasters, $7.92.
For rent, light, and fuel, $37.
For vehicle service, $14.59.
Total, audited claims, section 3, $93,954.71, together with such additional sum, due to increases in rates of exchange, as may be necessary to pay claims in the foreign currency as specified in certain of the certificates of settlement of the General Accounting Office.

SEC. 4. For the payment of the claim certified to be due by the General Accounting Office under the appropriation "Aviation, Navy, 1922" (the balance of which has been carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874), certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in House Document No. 641, Sixty-eighth Congress, fiscal year 1922, $187,000.

AUDITED CLAIMS

SEC. 5. That for the payment of the following claims, certified to be due by the General Accounting Office under appropriations the balances of which have been exhausted or carried to the surplus fund under the provisions of section 5 of the act of June 20, 1874, and under appropriations heretofore treated as permanent, being for the service of the fiscal year 1922 and prior years, unless otherwise stated, and which have been certified to Congress under section 2 of the act of July 7, 1884, as fully set forth in Senate Document No. 220, reported to Congress at its present session, there is appropriated as follows:

LEGISLATIVE

For public printing and binding, $121.77.

INDEPENDENT OFFICES

For medical and hospital services, Veterans' Bureau, $1,455.30.
For vocational rehabilitation, Veterans' Bureau, $1,936.27.

DEPARTMENT OF AGRICULTURE

For general expenses, Bureau of Animal Industry, $20.37.
For general expenses, Forest Service, $1.37.

DEPARTMENT OF JUSTICE

For detection and prosecution of crimes, $9.92.

DEPARTMENT OF LABOR

For expenses of regulating immigration, $8.

NAVY DEPARTMENT

For pay of the Navy, $542.07.
For freight, Bureau of Supplies and Accounts, $39.71.
For maintenance, Quartermaster's Department, Marine Corps, $82.94.
For pay, Marine Corps, $16.

TREASURY DEPARTMENT

For collecting the revenue from customs, $30.
For operating force for public buildings, $56.10.

WAR DEPARTMENT

For increase of compensation, Military Establishment, $58.65.
For pay, etc., of the Army, $12,840.84.
For pay, etc., of the Army, war with Spain, $17.64.
For mileage to officers and contract surgeons, $75.98.
For general appropriations, Quartermaster Corps, $4,135.14.
For supplies, services, and transportation, Quartermaster Corps, $426.90.
For armament of fortifications, $2.88.
For Army transportation, $4.60.
For regular supplies, Quartermaster Corps, $19.80.
Total, audited claims, section 5, $21,922.25.

The amendment was agreed to.

The next amendment was, on page 96, line 7, to change the section number from 3 to 6.

The amendment was agreed to.

Mr. WARREN. I now send to the desk an amendment in behalf of the committee.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 4, after line 19, insert the following:

JOINT COMMITTEE TO STUDY MILITARY PROPERTIES

That the Committee on Military Affairs of the Senate of the United States and those members of the Committee on Military Affairs of the House of Representatives of the Sixty-eighth Congress who are Members elect to the Sixty-ninth Congress, or subcommittees thereof, are authorized to sit jointly or separately until the meeting of the first session of the Sixty-ninth Congress, at such times and places as to them may seem advisable; to make investigation of the condition of Army posts, forts, and other military properties; to employ clerical assistance; to send for persons, books, and papers, to administer oaths, and to employ a stenographer or stenographers at a cost not to exceed 25 cents per hundred words to report hearings, and to have such printing and binding done as may be necessary; the expenses of carrying this paragraph into effect shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives upon vouchers certified by the chairmen of the said committees or of their subcommittees and properly approved by the Committee on Audit and Control of the Contingent Expenses of the Senate and the Committee on Accounts of the House of Representatives.

The amendment was agreed to.

Mr. WARREN. I offer the amendment which I now send to the desk.

The PRESIDENT pro tempore. The Senator from Wyoming offers a further amendment, which will be stated.

The CHIEF CLERK. On page 4, after line 19, insert the following:

JOINT COMMISSION FOR THE INVESTIGATION OF THE PUBLIC DOMAIN

There is established a joint congressional commission to be known as the "Joint commission for the investigation of the public domain," to be composed of five Senators appointed by the President of the Senate and five Members elect of the House of Representatives for the Sixty-ninth Congress, to be appointed by the Speaker. The commission is authorized and directed to investigate all matters relating to the public domain and its administration, including grazing lands, forest reserves, and other reservations and lands withdrawn from entry. The commission shall elect a chairman from among its members, and vacancies occurring in the membership of the commission shall be filled in the same manner as the original appointment. For the purposes authorized herein the commission, or any subcommittee thereof, is authorized to hold hearings and to sit and act at such places and times, to employ such experts and clerical, stenographic, and other assistants, to cause such maps to be prepared, to require by subpœna or otherwise the attendance of such witnesses and the production of such books, papers, and documents, to administer such oaths, and to take such testimony and to make such expenditures as the commission deems advisable. The cost of stenographic service to report such hearings shall not be in excess of 25 cents per hundred words. It shall be the duty of any governmental establishment, upon request by the commission, to cooperate with and render assistance to the commission in carrying out the provisions authorized herein. The expenses of the commission shall be paid one-half from the contingent fund of the Senate and one-half from the contingent fund of the House of Representatives, upon vouchers properly approved. The commission shall make a final report to the Congress as to its findings, and such other reports, together with recommendations for such legislation, as it deems necessary. The commission shall cease to exist upon the presentation of its final report, but not prior thereto.

The amendment was agreed to.

Mr. WARREN. I now submit another amendment.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 7, after line 20, insert the following:

For additional compensation for the Public Printer and the Deputy Public Printer, $1,500 and $1,000, respectively, fiscal year 1926, $2,500 to be paid from appropriations for the public printing and binding.

The amendment was agreed to.

Mr. WARREN. I send to the desk another amendment in behalf of the committee.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 8, after line 1, insert the following:

UNITED STATES MECKLENBURG SESQUICENTENNIAL COMMISSION

There is established a commission, to be known as the United States Mecklenburg Sesquicentennial Commission, to be composed of 11 commissioners, as follows: Three persons to be appointed by the President of the United States, four Senators by the President of the Senate, and four Members of the House of Representatives to be appointed by the Speaker. The commission shall serve without compensation and shall select a chairman from among their number. There is hereby appropriated the sum of $5,000 to be expended by the commission for actual and necessary traveling expenses and subsistence while discharging its official duties outside the District of Columbia. There is hereby also appropriated the sum of $10,000 to be utilized in the discretion of the commission for the appropriate participation on the part of the United States in the celebration and observance at the city of Charlotte, county of Mecklenburg, N. C., on the 18th, 19th, 20th, 21st, and 22d days of May, 1925, of the one hundred and fiftieth anniversary of the patriotic action of the citizens of Mecklenburg County, N. C., in May, 1775, in declaring their independence of the English Crown.

The amendment was agreed to.

Mr. WARREN. I send to the desk another amendment in behalf of the committee.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 22, after line 18, insert the following:

The Director of Public Buildings and Public Parks of the National Capital shall be authorized to continue to employ, under existing authority, skilled and unskilled laborers on a per diem basis at rates of pay not exceeding the current local rates for similar employment without regard to the classification act of 1923.

The amendment was agreed to.

Mr. WARREN. I offer a further amendment in behalf of the committee.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 33, after line 5, insert the following:

CREDIT IN THE ACCOUNTS OF CERTAIN SPECIAL DISBURSING AGENTS, DEPARTMENT OF COMMERCE

The Comptroller General of the United States is authorized and directed to allow in the accounts of James C. Woolley, special disbursing agent, Department of Commerce, in the office of the Superintendent of Lighthouses, Portland, Me., expenditures made by him from the appropriation "Vessels for Lighthouse Service" (41 Stat. 1416) for per diem, in lieu of subsistence, which were disallowed by the office of the Comptroller General.

The amendment was agreed to.

Mr. WARREN. I offer another amendment, which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 31, after line 13, insert the following:

The Comptroller General is authorized and directed to credit the accounts of the disbursing clerk of the Department of Agriculture with payments heretofore or hereafter made for expert services under existing agreements entered into by the Secretary of Agriculture in connection with investigations under the act of August 15, 1921 (42 Stat. p. 159).

The amendment was agreed to.

Mr. WARREN. There are now two amendments to be offered, one by the Senator from Utah [Mr. SMOOT], and another by the Senator from Louisiana [Mr. BROUSSARD].

Mr. KING. I want to ask the Senator with respect to the amendment just offered whether there are any limitations?

Mr. WARREN. There is no money involved in the amendment on page 31, after line 13. It merely designates how money already appropriated shall be expended.

Mr. SMOOT. On page 72, after line 3, I offer the following amendment for the committee.

The PRESIDENT pro tempore. The Senator from Utah offers the following committee amendment:

The CHIEF CLERK. On page 72, after line 2, to insert:

Washington, D. C., Internal Revenue Building: That the Secretary of the Treasury is hereby authorized to enter into contracts for the construction, at the earliest possible date, upon lands belonging to the Government in the District of Columbia, to be selected by the Public Buildings Commission, of a fireproof building of modern office type, at a limit of cost of not to exceed $6,250,000, for the accommodation of the Bureau of Internal Revenue, and for the employment of the necessary additional technical and clerical services in the office of the Supervising Architect of the Treasury Department, in connection with the preparation of the plans for said building and the supervision of the construction thereof, the sum of $1,500,000 is hereby appropriated out of any moneys in the Treasury not otherwise appropriated to be immediately available.

The amendment was agreed to.

Mr. BROUSSARD. By authority of the committee, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Louisiana offers the following amendment in behalf of the committee:

The CHIEF CLERK. On page 26, strike out lines 21 to 25, inclusive, and on page 27, to strike out lines 1 to 3, inclusive, and in lieu thereof to insert:

For special sugar-cane breeding investigations, with a view to the production of disease-resistant types of cane, $43,450, to remain available until June 30, 1926: *Provided*, That of this sum not to exceed $8,450 may be used for the construction of a greenhouse at the Arlington Experiment Farm, Va., and not to exceed $25,000, may be used for the purchase of land and the construction thereon of necessary farm buildings at Canal Point, Fla., and $10,000 for plant-breeding work.

The amendment was agreed to.

Mr. WARREN. Mr. President, I am going to send to the desk an amendment which is subject to a point of order, but it is a very distressing case of what we might call a claim for loss or damage that some very hospitable people are suffering because of their hospitality to soldiers and others. The bill has passed the Senate to cover the amount, but has not yet passed the House. I ask for its consideration.

The PRESIDENT pro tempore. The Senator from Wyoming offers the following amendment, which will be stated.

The CHIEF CLERK. On page 10, after line 18, insert the following:

To pay Edith W. Peacock, treasurer of the Peacock Military College (Inc.), the sum of $12,000 in full and final settlement of any and all claims which the said Edith W. Peacock and/or the said Peacock Military College has, or may have, against the United States, and of any and all claims which the United States has, or may have, against the said Edith W. Peacock and/or the said Peacock Military College arising from, growing out of, or in any way connected with the use and occupation by the United States in connection with the operation of a vocational training school at or near San Antonio, Tex., of any and all lands, improvements, furniture, equipment, paraphernalia, or facilities owned or controlled by the said Edith W. Peacock or the said Peacock Military College: *Provided*, That before any sum is paid hereunder the said Edith W. Peacock and the said Peacock Military College (Inc.) shall file with the Comptroller General of the United States a waiver of all claims against the United States growing out of the matters herein set out.

The amendment was agreed to.

Mr. CURTIS. I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Kansas offers an amendment, which will be stated.

The CHIEF CLERK. On page 31, at the end of line 13, it is proposed to insert:

To enable the Secretary of Agriculture to settle claims against the Government arising out of the activities of the Department of Agriculture which have been thoroughly investigated by his department and where the liability of the Government has been found to be clear and a settlement reached by him, $245,258.12.

Mr. KING. Mr. President, I raise the point of order against the amendment; but I have no objection to a provision sending all of these claims to the Court of Claims.

Mr. CURTIS. Mr. President, I will confess that the amendment is subject to the point of order, but I have another

amendment which I will offer in lieu of it referring the matter to the district court of Kansas.

The PRESIDENT pro tempore. The amendment offered by the Senator from Kansas has not yet been disposed of.

Mr. KING. I raised the point of order against the amendment and the Senator has conceded it and is prepared to offer another amendment in lieu of it.

Mr. CURTIS. I offer another amendment referring the matter to the district court of Kansas.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 31, at the end of line 13, it is proposed to insert:

That the claimants mentioned in S. 1253, "An act to reimburse J. B. Glanville and others for losses and damages sustained by them through the negligent dipping of tick-infested cattle by the Bureau of Animal Industry, Department of Agriculture," which passed the Senate January 16, 1924, be and they are hereby authorized to enter suit in the United States district court for the State of Kansas for the amount due or claimed to be due to claimants from the United States by reason of the neglect of the governmental officials in the dipping of the tick-infested cattle.

And jurisdiction is hereby conferred upon said United States district court for the district of Kansas to hear and determine all such claims. The action in said court may be presented by a single petition, making the United States party defendant and shall set forth all the facts on which the claimants have their claims, and the petition may be verified by the agent or attorney of said claimants. Official letters, reports, and public records, or certified copies thereof, may be used as evidence.

Mr. KING. I suggest to the Senator that he ought to add to that amendment that the Attorney General be instructed to bring suit against the negligent officials. I do not raise the point of order against the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. BUTLER. Mr. President, I offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Massachusetts offers an amendment which will be stated.

The CHIEF CLERK. On page 8, after line 1, after the amendment adopted relative to the United States Mecklenburg Sesquicentennial Commission, it is proposed to insert:

UNITED STATES BUNKER HILL SESQUICENTENNIAL COMMISSION

For actual and necessary traveling and subsistence expenses of members of the United States Bunker Hill Sesquicentennial Commission in the discharge of their duties outside of the District of Columbia, $5,000, and for expenses incident to the appropriate celebration and observation of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, $10,000, in all $15,000, said sum to be expended in the discretion of the commission named herein.

Mr. WARREN. Mr. President, that amendment is intended to cover an expenditure which seems to be authorized, and I have no objection to it.

The PRESIDENT pro tempore. Without objection, the amendment is agreed to.

Mr. HOWELL. Mr. President, I offer an amendment which I send to the desk.

The PRESIDENT pro tempore. The Senator from Nebraska offers an amendment which will be stated.

The CHIEF CLERK. On page 30, line 15, it is proposed to insert:

For the relief of the Omaha Tribe of Indians of Nebraska in accordance with the act of Congress approved February 9, 1925 (Public No. 386, 68th Cong.), the sum of $374,465.02, said sum to be disbursed in accordance with the provisions of said act.

Mr. KING. May I inquire whether the money hereby proposed to be appropriated is to be paid from the tribal funds or from the United States Treasury?

Mr. WARREN. Mr. President, that is a case which was supposed to be settled by the court, and the item was inserted in this bill in the other House. Later, however, the chairman of the committee and others, as they stated to me, discovered some irregularities about the court adjustment, causing them to feel that the appropriation ought to be eliminated until there should be further consideration of the matter. So they asked us to eliminate it from the bill. In that state of affairs, I am not going to object to the amendment going into the bill, but I wish to remind the Senator from Nebraska of the facts that I have stated, for the amendment will probably meet with the same difficulty in the conference as that to which I have referred, because those who previously requested that the item should be eliminated will be the conferees on the part of the House.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Nebraska.

Mr. SMOOT. Mr. President, as I understand the amendment, it involves an appropriation for interest, which is supposed to have been awarded according to a judgment of the court. Is that the purport of the amendment?

Mr. HOWELL. Yes; I understand it provides for interest.

Mr. WARREN. I wish to send to the desk——

Mr. SMOOT. If the Senator will wait for a moment, I ask that the amendment may again be stated.

The PRESIDENT pro tempore. The amendment will be again read.

The amendment was again read.

Mr. SMOOT. Mr. President, the amendment, as I understand, is to provide for interest.

Mr. WARREN. Mr. President, if my colleague on the committee will allow me, I will send to the desk a report which gives the facts in the case.

Mr. SMOOT. Does it cover both the first judgment and the second judgment?

Mr. WARREN. I think so; at least, in some respects.

Mr. SMOOT. There were two judgments, Mr. President, in this case. One was for the amount carried in the amendment. Then when the case was appealed to the higher court that court reversed the first judgment. The item was passed by the other House upon one occasion, and then was defeated when the facts of the case were stated to the House Members. If the Senator from Wyoming has the full report on the matter, I should like to have it read.

Mr. WARREN. Mr. President, this claim was formerly more than twice as large as it now is. Originally it was for eight hundred and some odd thousand dollars. In the meantime portions of it have been eliminated until it has been cut down, I believe, to $374,465.02. I ask the clerk to read from the document which I send to the desk, commencing at the point which is marked.

Mr. SHORTRIDGE. Is there a judgment against the Government?

Mr. WARREN. That will probably develop from the reading which I have asked at the desk. I have not fully read the extract.

The PRESIDENT pro tempore. The clerk will read as directed.

The Chief Clerk read, as follows:

The amount of $374,465.02 for a payment to the Omaha Indians of Nebraska in accordance with the act of February 9, 1925, is not recommended. The Congress by the act of June 22, 1910 (36 Stat. L. p. 580), conferred jurisdiction upon the Court of Claims to consider and render judgment in all claims, legal and equitable, of the Omaha Tribe of Indians against the United States. The Indians under the authority of this act filed a suit in the Court of Claims (No. 31002). The Court of Claims on April 22, 1918, awarded judgment in favor of the Indians in the principal sum of $122,295.31 and interest at 5 per cent per annum on the following portions of the judgment: On $94,739.54 from June 15, 1854; on $15,068.80 from August 3, 1856; and on $3,133.39 from August 11, 1858. The attorney for the Government subsequently called the attention of the Court of Claims to section 1091 of the Revised Statutes—being a part of the act creating the Court of Claims—which prohibits that court from allowing interest in certain cases, and thereupon the court modified the opinion in so far as it related to the payment of interest. The modified decision of the Court of Claims rendering judgment in favor of the Indians in the sum of $122,295.31 and eliminating any provision for interest was rendered on June 10, 1918 (Court of Claims reports, vol. 53, p. 549). On appeal to the Supreme Court of the United States that court affirmed the judgment of the Court of Claims as to the disallowance of interest and affirmed the allowance of the principal of $122,295.31, with the exception of the sum of $4,560, which had been awarded the Indians for horses killed, leaving the net amount of the judgment affirmed by the Supreme Court at $117,735.31. This sum was certified to Congress and appropriated in the deficiency act approved March 1, 1921. Congress on February 9, 1925, enacted a law authorizing the appropriation of $374,465.02, a sum representing interest at 5 per cent per annum on the principal sums found due the Omaha Indians under the decision of the Court of Claims of April 22, 1918. This was the decision of the Court of Claims which allowed the $122,295.31 and interest at 5 per cent, and which was recalled or modified by the court so as to eliminate interest, and was superseded by the judgment rendered by the Court of Claims on June 10, 1918, wherein it allowed the sum of $122,295.31, without interest. This judgment of June 10, 1918, was the judgment affirmed,

except as to the $4,560, by the Supreme Court on June 1, 1920 (U. S. Repts., vol. 253, p. 275), and payment for which has been made in the sum of $117,735.31. The committee is of the opinion that the appropriation of $374,465.02 should not be made. It has not been the general practice of the United States to pay interest on judgments of this character in favor of the Indians. If this should be done now, it would create a precedent for future action, which would possibly run into many millions of dollars as well as establish a precedent for the passage of special bills of the same character as this for the payment of interest on judgments which have been rendered in the past in favor of Indian claimants, and upon which no interest has been allowed by the Court of Claims or paid by Congress.

Mr. SMOOT. Mr. President, I shall have to make the point of order against the amendment that it is not estimated for and not reported by a committee.

The PRESIDENT pro tempore. The point of order is sustained.

Mr. WILLIS and Mr. HOWELL addressed the Chair.

The PRESIDENT pro tempore. The Senator from Ohio.

Mr. WILLIS. Mr. President, I desire to make an inquiry of the Senator from Wyoming. The Senator will recall that yesterday the Senate passed Senate Joint Resolution 190 providing for representation of the United States at the Pan-American Congress of Highways, to be held at Buenos Aires during the coming year. That bill which passed the Senate has not as yet passed the House, but I am advised, rather authoritatively I think, that it will pass the House. Now, I inquire of the Senator whether in case the bill does pass there will be further opportunity to secure consideration of the appropriation by his committee?

Mr. WARREN. Mr. President, a bill should pass both Houses and then should have the scrutiny of the Committee on Appropriations, if not also of the Budget Bureau, before provision should be made for it on an appropriation bill. With the uncertainty as to what may happen in the House, I feel that I should have to make a point of order if an amendment covering the matter should be offered. At one time, under our rule, the fact that it had passed the Senate would perhaps make it in order on the bill, but the rule was changed here two or three years ago.

Mr. WILLIS. If it shall pass the House, I shall take the matter up later with the Senator.

Mr. WARREN. Very well.

Mr. FLETCHER. Mr. President, I offer the amendment which I send to the desk, to come in on page 72, after line 16.

The PRESIDENT pro tempore. The Senator from Florida offers the amendment which will be stated.

The READING CLERK. On page 72, after line 16, it is proposed to insert the following:

That in carrying into effect the provisions of existing legislation authorizing the acquisition of land for sites or enlargements thereof, and the erection, enlargement, extension, and remodeling of public buildings in the several cities enumerated in Senate Document No. 28, Sixty-eighth Congress, first session, the Secretary of the Treasury is hereby authorized to disregard the limit of cost fixed by Congress for each project, and to enter into contracts for all or so many of the buildings heretofore authorized to be constructed, but not yet under contract, as may be possible within the total additional sum of $7,900,000.

Mr. WARREN. Mr. President, I very well know the circumstances alluded to. Some 12 or 13 years ago a large number, perhaps a hundred, more or less, of public buildings were authorized, and from time to time the necessary amounts were appropriated according to the original estimates of cost. The war stopped the work on many of those buildings, and it now requires something over $7,000,000 to complete them, and to liberate other funds that are now tied up in the Treasury, so that post-office buildings may be put under cover in a number of places, some of which business is almost being carried on in tents and out of doors. I have no objection to the amendment if the amount may be cut down to the $7,900,000 provided in the first paragraph. I wish I might accept the whole, but I am not permitted to do so.

Mr. KING. The Senator will raise the point of order against it unless it shall be "cut down," to use his expression.

Mr. WARREN. I can not recommend at this time under the circumstances any more than the $7,900,000.

Mr. McKELLAR. The amendment is not subject to a point of order.

Mr. WARREN. There may be a question about that. It is estimated for, of course, and came here before our rules were changed. However, I shall not make any point of order against the amendment.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment.

Mr. KING. Mr. President, I should like to inquire of the Senator whether the suggestion made by the Senator from Wyoming has been accepted by the Senator from Florida?

The PRESIDENT pro tempore. What was the suggestion?

Mr. KING. That it be cut down, to use the Senator's expression.

Mr. WARREN. To take the first item rather than the rest.

Mr. FLETCHER. In order words, to eliminate sections 2 and 3.

The PRESIDENT pro tempore. So that the amendment would end on line 4.

Mr. FLETCHER. Eliminating sections 2 and 3.

The PRESIDENT pro tempore. Does the Senator from Florida modify his amendment accordingly?

Mr. FLETCHER. In the circumstances, Mr. President, I feel that perhaps I shall have to do that. I do not like to do it.

Mr. WARREN. I will say to the Senator that I am more interested, perhaps, in the other part of the amendment; but I feel that that is further than we need to go because of opposition which I can not, I fear, overcome. This other sum first mentioned, is for sheltering and putting under cover the mail matter of the United States in certain places.

The PRESIDENT pro tempore. As the Chair understands, the Senator from Florida modifies his amendment.

Mr. FLETCHER. I modify the amendment.

The PRESIDENT pro tempore. The question is on agreeing to the amendment as modified.

The amendment as modified was agreed to.

Mr. KING. Mr. President, I ask the Senator from Florida whether it is clear that it is intended to restrict the appropriation carried by this amendment to buildings which have heretofore been authorized?

Mr. FLETCHER. It ought to be. This merely supplements appropriations already authorized, but which are found insufficient to complete the buildings, which in some instances have been actually begun.

Mr. KING. May I inquire of the Senator, further, whether under a proper interpretation of the language of this amendment it would permit the Treasury Department to increase the expenditure to any sum they might conceive necessary for the completion of the buildings according to the designs and plans which they might determine upon? In other words, is there any limitation, except their caprice, as to the price of the buildings?

Mr. FLETCHER. I will say to the Senator that this amount is based upon a statement from the department which shows that they will simplify some of the types already projected in order to complete them within this figure.

Mr. KING. They can not incur unlimited obligations?

Mr. FLETCHER. No, indeed; they are limited.

Mr. BRUCE. Mr. President, I should like to offer an amendment to the pending bill.

The PRESIDENT pro tempore. The Senator from Maryland offers an amendment, which will be stated.

The CHIEF CLERK. On page 76, after line 7, it is proposed to insert:

The sum of $50,000, or so much thereof as may be necessary, is hereby appropriated out of the proceeds derived from the sale of the temporary buildings and their contents at Fort McHenry, Md., to be expended by the Secretary of War in the restoration of said Fort McHenry reservation, and for other purposes, consistent with the Fort McHenry act passed at this session of Congress.

Mr. WARREN. May I ask the Senator what is the amount carried by his amendment?

Mr. BRUCE. Fifty thousand dollars, but it is to come out of the proceeds of the sale of the old material.

Mr. WARREN. I understand. It is necessary to have that amount, is it?

Mr. BRUCE. Yes, sir.

Mr. WARREN. I shall not object.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Maryland.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I have here an amendment that is urged by the Secretary of the Interior, which the chairman of the committee referred to me, and which would have been presented to the Senate by the junior Senator from Wisconsin [Mr. LENROOT] if he had not been necessarily called from the Chamber. So I offer, on page 37, after line 21, the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 36, after line 21, it is proposed to insert:

For the accomplishment of the purposes of the act of March 28, 1908 (35 Stat. L. p. 51), the Secretary of the Interior be, and he is hereby, authorized to expend not to exceed $300,000 of the funds in the Treasury of the United States to the credit of the Menominee Tribe of Indians to rebuild the sawmill and its appurtenances at Neopit, Wis., which were destroyed by fire on October 5, 1924.

Mr. WARREN. Mr. President, I understand this amendment is offered as a result of a fire that consumed the buildings.

Mr. JONES of Washington. The fire consumed a good part of the mill on the reservation.

Mr. WARREN. And what is the amount?

Mr. JONES of Washington. Not exceeding $300,000. It comes out of the tribal funds.

Mr. KING. It does not state that.

Mr. WARREN. For schools, or for a sawmill?

Mr. JONES of Washington. For a sawmill. The act that is referred to, but the title of which is not given, is entitled:

An act to authorize the cutting of timber, the manufacture and sale of lumber, and the preservation of the forests of the Menominee Indian Reservation in the State of Wisconsin.

Mr. WARREN. I have no objection. It is to come from the Indian funds, and, as I understand, is for the reconstruction of buildings heretofore constructed.

Mr. KING. Mr. President, I do not see how it is possible for a sawmill and its appurtenances to cost that sum.

Mr. JONES of Washington. The bill authorized the expenditure of $300,000 to rebuild the sawmill and its appurtenances which had been destroyed by fire. This is quite an extensive proposition, as I understand. The commissioner says:

The construction of this sawmill at an early date is very important.

And here is quite a comprehensive letter sent to the Indian Affairs Committee by the Secretary of the Interior, and I understand that the Indian Affairs Committee reported this bill favorably.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. JONES of Washington. Mr. President, I have one other amendment as to which I understand that an estimate has come down, or a letter from the Secretary of Commerce, approved by the Director of the Budget. It has gone to the printer, and so I did not see it; but on page 31, after line 19, I move to insert the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 31, after line 19, it is proposed to insert:

Hereafter section 3648 of the Revised Statutes shall not apply to advance payments for rent of offices in foreign countries by the Bureau of Foreign and Domestic Commerce.

Mr. JONES of Washington. That section says this:

No advance of public money shall be made in any case whatever.

The Secretary says that it is absolutely necessary to pay some rent in advance over there, and this is to cover that situation.

Mr. SMOOT. It is the custom.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from Washington.

The amendment was agreed to.

Mr. PHIPPS. Mr. President, I desire to offer an amendment which is substantially Senate bill 2917, introduced by the Senator from Nevada [Mr. PITTMAN], which passed the Senate on May 26 of last year, and which has had the approval of the Committee on Banking and Currency of the House. I offer the amendment to be inserted at the proper place in the bill.

The PRESIDENT pro tempore. The Senator from Colorado offers an amendment which will be stated.

The Chief Clerk read as follows:

That the Secretary of the Treasury is hereby directed, in compliance with the requirements of the act entitled "An act to conserve the gold supply of the United States; to permit the settlement in silver of trade balances adverse to the United States; to provide silver for subsidiary coinage and for commercial use, to assist foreign governments at war with the enemies of the United States; and for the above purposes to stabilize the price and encourage the production of silver," approved April 23, 1918, and commonly known as the Pittman Act, to instruct the Director of the Mint to purchase in the United States of the product of mines situate in the United States, and of reduction works so located, 14,589,730.13 ounces of fine silver in accordance with those certain allocations of silver and silver dollars to the Director of the Mint for subsidiary coinage by the Secretary on September 7, 1918, November 28, 1919, October 18, 1920, November 6, 1920, and December 18, 1920, and the orders to purchase the said silver contained in said allocations and each of them, respectively, at and for the sum of $1 per ounce, and the same, together with all other silver bullion purchased under the said Pittman Act, shall be coined into standard silver dollars;

That, except as to the purchases herein provided for, and the retirement of Federal reserve bank notes therein directed, the said act approved April 23, 1918, and known as the Pittman Act is hereby repealed.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment offered by the Senator from Colorado.

Mr. GLASS. Mr. President, I believe the Senator from Colorado is aware of the fact that this amendment is subject to a point of order; that it is new legislation. I have not wanted to make the point of order, for personal reasons; and yet, Mr. President, I think the Senate ought to understand before it adopts this amendment in a perfectly perfunctory way that it is the opinion of the Treasury Department, in which I concur, that it practically means a gift from the United States Treasury of $5,000,000 to the silver interests of this country.

Mr. COUZENS. Mr. President, I raise the point of order if that is the case.

Mr. PHIPPS. Mr. President, will the Senator withhold that point of order while I make a statement in regard to the amendment?

Mr. COUZENS. I withhold it.

Mr. PHIPPS. If a point of order is made, I do not propose to consume the time of the Senate by discussing the merits of the matter; but the bill which is embodied in this amendment was considered in committee by the Senate Committee on Banking and Currency. I was honored by serving on a subcommittee and wrote the report on the bill, which was a favorable one, and the bill passed the Senate. Since that time the Committee on Banking and Currency of the House has considered the measure and has concurred in the action of the Senate and has favorably reported the bill.

My purpose in offering the amendment at this time is to give the House an opportunity to say whether or not it will concur in the view of the Senate in having adopted this measure. On account of the legislative condition in the House, as we are well aware, it has not been possible to get the bill up for consideration under a special rule in the closing days of the session; and I feel that the Senate should be willing to allow the measure to go to conference, so that the House may have an opportunity to express its will with regard to it.

Mr. PITTMAN. Mr. President, I am not going to take up the time of the Senate; but I was the author of this bill. I realize that there is a difference of opinion on the bill, but I do think that the Senator from Michigan should allow the matter to be debated in the House. There were hearings before the Committee on Banking and Currency of the Senate on this matter, and the committee unanimously found that it was the undoubted duty of the Treasury Department to make these purchases. The bill went to the House; and in the House Committee on Banking and Currency, of which Mr. MCFADDEN was chairman, they had hearings again, and the House committee has also unanimously reported.

If the Senator will let me read what the House committee has to say on the matter, it is very brief. Here is what it says:

The Pittman Act having been passed in good faith, your committee deems it unwise to breach that faith by a refusal to carry it out, or to allow the Comptroller General of the United States to set aside a solemn act of Congress because, in his judgment, it is expedient to do so.

That, in brief, is the language of the House committee.

Mr. COUZENS. Mr. President, I should like to ask the Senator if the Treasury Department recommends the passage of this bill?

Mr. PITTMAN. No; I will say to the Senator that the Treasury Department did not believe that it was mandatory upon them to make these purchases. The Committee on Banking and Currency was unanimous that it was mandatory. The Treasury Department took the same ground before the Committee on Banking and Currency of the House,

that it was discretionary as to whether they should make these purchases. The Committee on Banking and Currency of the House stated that in their opinion it was mandatory. There is just that difference of opinion. That is all it amounts to.

Let me say that it is true, as the Senator from Virginia [Mr. GLASS] says, that if this bill is passed it will cost the Government about $5,000,000 more to obtain the silver under the act than it would outside of the act; but, mind you, at the time the Pittman Act was passed the Treasury Department asked that there be put in the act authority to use these standard silver dollars not only to meet the emergency in India but also for subsidiary coins. There was a tremendous demand for subsidiary coins, and at the time that they allocated these standard silver dollars to be made into dimes and halves and quarters if they had gone into the public market to buy that silver they would have had to pay all the way from $1.10 to $1.30 an ounce for it; but they used these standard silver dollars at $1, with the understanding that they should replace them at $1.

Now, mind you, if this provision had never been placed in the bill by the Treasury Department, the miner would have sold his silver at as high as $1.30 an ounce; but, as the market was taken away from him by the use of these standard silver dollars, he lost that sale. There was an understanding in the bill, however, that these allocations of standard silver dollars to the mint should be treated as a sale, just like the sale to Great Britain, and that immediately upon the allocation—not in the future—the Secretary of the Treasury should issue an order directing the Director of the Mint to buy silver of American production to the extent of an equal number of ounces, at a dollar an ounce, to replace this silver. That is all there was to it.

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

Mr. PITTMAN. I yield.

Mr. PHIPPS. I want to ask the Senator if it is not the fact that the bill in its present form authorizes and directs the Secretary of the Treasury to coin into silver dollars the silver that would be purchased under the provisions of his bill—Senate bill 2917—and if, carrying that instruction into effect, the Government would not gain the seigniorage, which would amount to about 29 cents an ounce, or about $4,200,000, as against a possible difference of $5,000,000 as between the $1 an ounce and the present market value of silver?

Mr. PITTMAN. So the committee of the House reports, and I assume they have estimated it.

Mr. COUZENS. Mr. President, I will have to insist on the point of order. There has been no discussion of this for over a year. We have been here three months and this bill has not been taken up, and to tack this to an appropriation bill at the last minute I think is very bad business.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Fernald	King	Sheppard
Ball	Ferris	Ladd	Shipstead
Bayard	Fess	McKellar	Shortridge
Bingham	Fletcher	McKinley	Simmons
Borah	Frazier	McNary	Smith
Brookhart	George	Mayfield	Smoot
Broussard	Gerry	Metcalf	Spencer
Bruce	Glass	Moses	Stephens
Bursum	Gooding	Norbeck	Sterling
Butler	Hale	Norris	Swanson
Cameron	Harreld	Oddie	Trammell
Capper	Harris	Overman	Underwood
Caraway	Harrison	Owen	Wadsworth
Copeland	Heflin	Pepper	Walsh, Mass.
Couzens	Howell	Phipps	Walsh, Mont.
Cummins	Johnson, Calif.	Pittman	Warren
Curtis	Johnson, Minn.	Ralston	Watson
Dial	Jones, N. Mex.	Ransdell	Weller
Dill	Jones, Wash.	Reed, Mo.	Wheeler
Edge	Kendrick	Reed, Pa.	Willis
Ernst	Keyes	Robinson	

The PRESIDENT pro tempore. Eighty-three Senators have answered to the roll call. There is a quorum present.

Mr. PHIPPS. A parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state his inquiry.

Mr. PHIPPS. I desire to know whether the point of order made by the Senator from Michigan was ruled upon, or insisted upon, or what the status is.

The PRESIDENT pro tempore. The point of order made by the Senator from Michigan, as the Chair understands it, is that this provision is general legislation.

Mr. COUZENS. That is correct.

The PRESIDENT pro tempore. The point of order is sustained.

SENATOR FROM ILLINOIS

The PRESIDENT pro tempore presented the credentials of CHARLES S. DENEEN, appointed a Senator from the State of Illinois for the unexpired term ending March 3, 1925, occasioned by the death of the late Senator MEDILL MCCORMICK, which were read and ordered to be placed on file, as follows:

STATE OF ILLINOIS,
EXECUTIVE DEPARTMENT.

Whereas a vacancy now exists in the office of United States Senator from the State of Illinois, by reason of the death on February 25, A. D. 1925, of the Hon. MEDILL MCCORMICK; and

Whereas it is in the public interest that the State of Illinois be fully and adequately represented in the Senate of the United States: Now therefore

I, Len Small, Governor of Illinois, in accordance with the provisions of the Constitution of the United States of America, and by virtue of the authority in me vested by the statutes of the State of Illinois, do hereby and by these presents appoint CHARLES S. DENEEN, of the County of Cook, State of Illinois, to be United States Senator from the State of Illinois in the Sixty-eighth Congress of the United States of America, to have and to hold the said office, with all the rights and emoluments thereto legally pertaining, until the 4th day of March, A. D. 1925.

In witness whereof, I have hereunto set my hand and caused the great seal of the State of Illinois to be affixed.

Done at the capitol, in the city of Springfield, this 26th day of February, in the year of our Lord 1925, and of the State of Illinois the one hundred and seventh.

[SEAL.] LEN SMALL.

By the governor:

LOUIS L. EMMERSON,
Secretary of State.

Mr. MCKINLEY. Mr. President, Senator DENEEN is present and I ask that he be now sworn in.

The PRESIDENT pro tempore. The Senator appointed will come to the desk and receive the oath of office.

Mr. DENEEN was escorted to the Vice President's desk by Mr. MCKINLEY and, the oath prescribed by law having been administered to him, he took his seat in the Senate.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Haltigan, one of its clerks, announced that the House had passed the following bills and joint resolution, in which it requested the concurrence of the Senate:

H. R. 4507. An act to amend an act for the appointment of an additional circuit court judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes, approved September 14, 1922;

H. R. 8236. An act for the relief of the Government of Canada;

H. J. Res. 347. Joint resolution providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois;

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard; and

H. R. 12334. An act to amend the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and the act amendatory thereof and supplementary thereto.

The message also announced that the House had passed the joint resolution (S. J. Res. 189) authorizing the enlargement of the Federal Veterans' Hospital at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of $150,000 for that purpose, with an amendment, in which it requested the concurrence of the Senate.

ENROLLED BILLS AND JOINT RESOLUTIONS SIGNED

The message further announced that the Speaker had affixed his signature to the following enrolled bills and joint resolutions, and they were thereupon signed by the President pro tempore:

H. R. 1415. An act for the relief of Josiah Frederick Dose;

H. R. 1539. An act for the relief of Caleb Aber;

H. R. 1569. An act for the relief of Andrew A. Gieriet;

H. R. 2016. An act for the relief of William M. Phillipson;

H. R. 2905. An act to authorize an exchange of lands with Ed Johnson, of Eagle, Colo.;

H. R. 3842. An act to provide for terms of the United States district court at Denton, Md.;

H. R. 4148. An act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes;

H. R. 4913. An act to pay to Jere Austill fees earned as United States commissioner;

H. R. 5660. An act for the relief of Charles Spencer;

H. R. 5759. An act for the relief of James F. Abbott;

H. R. 5786. An act for the relief of Roberta H. Leigh and Laura H. Pettit;

H. R. 6044. An act authorizing the Secretary of the Interior to sell and patent certain lands to Lizzie M. Nickey, a resident of De Soto Parish, La.;

H. R. 6045. An act authorizing the Secretary of the Interior to sell and patent certain lands to Flora Horton, a resident of De Soto Parish, La.;

H. R. 6095. An act to authorize the Secretary of War to sell real property, to wit, a portion of the Fort Revere Reservation at Hull, Mass.;

H. R. 6268. An act for the relief of Francis M. Atherton;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 7118. An act for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank;

H. R. 7679. An act for the relief of Lars O. Elstad and his assigns and the exchange of certain lands owned by the Northern Pacific Railway Co.;

H. R. 8037. An act for the relief of the Mallory Steamship Co.;

H. R. 8072. An act for the relief of Emma Zembsch;

H. R. 8294. An act for the relief of Edward B. Sappington;

H. R. 8297. An act for the relief of the Canadian Pacific Railway Co.;

H. R. 9027. An act authorizing the Secretary of the Interior to sell and patent to William G. Johnson certain lands in Louisiana;

H. R. 9062. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have, or claim to have, against the United States, and for other purposes;

H. R. 9435. An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes;

H. R. 9825. An act to extend the time for the construction of a bridge across Pearl River at approximately 1½ miles north of Georgetown, in the State of Mississippi;

H. R. 10277. An act to extend the time for the construction of a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

H. R. 10347. An act for the relief of Robert B. Sanford;

H. R. 10472. An act to provide for restoration of the Old Fort Vancouver Stockade;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.;

H. R. 11077. An act authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within the Custer State Park, now claimed under the United States general mining laws, and for other purposes;

H. R. 11210. An act to grant certain public lands to the State of Washington for park and other purposes;

H. R. 11355. An act authorizing the Secretary of War to convey by revocable lease to the city of Springfield, Mass., a certain parcel of land within the Springfield Military Armory Reservation, Mass.;

H. R. 11358. An act to authorize the Secretary of the Interior to cancel restricted fee patents covering lands on the Winnebago Indian Reservation and to issue trust patents in lieu thereof;

H. R. 11360. An act to provide for the permanent withdrawal of a certain 40-acre tract of public land in New Mexico for the use and benefit of the Navajo Indians;

H. R. 11361. An act to provide for exchanges of Government and privately owned lands in the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901;

H. R. 11362. An act to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon;

H. R. 11410. An act to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii;

H. R. 11644. An act granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes;

H. R. 11701. An act to amend an act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887;

H. R. 11726. An act to authorize the creation of a national memorial in the Harney National Forest;

H. R. 11886. An act to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961);

H. R. 11953. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian, in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue;

H. R. 11954. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River at Gary, Ind.;

H. R. 11977. An act to extend the time for the commencement and completion of the bridge of the American Niagara Railroad Corporation across the Niagara River in the State of New York;

H. R. 12086. An act to authorize the transfer of the United States Weather Bureau site and buildings at East Lansing, Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture and other considerations;

H. R. 12001. An act to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street;

H. J. Res. 115. Joint resolution approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and West Point, Ga., and vicinity, March, 1920; and

H. J. Res. 318. Joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

HOUSE BILLS AND JOINT RESOLUTION REFERRED

The following bills and joint resolution were severally read twice by title and referred as indicated below:

H. R. 4507. An act to amend an act for the appointment of an additional circuit court judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes, approved September 14, 1922; and

H. J. Res. 347. Joint resolution providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois; to the Committee on the Judiciary.

H. R. 8236. An act for the relief of the Government of Canada; to the Committee on Foreign Relations.

H. R. 12334. An act to amend the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and the act amendatory thereof and supplementary thereto; to the Committee on Civil Service.

DISTRICT OF COLUMBIA APPROPRIATIONS—CONFERENCE REPORT

Mr. PHIPPS. Mr. President, I ask unanimous consent to be allowed to present a conference report on House bill 12033, the District appropriation bill, which is a final report; and I shall ask for its immediate consideration.

Mr. WARREN. It is a complete report.

Mr. PHIPPS. Yes; a complete report.

The report was read, as follows:

The committee of conference on the disagreeing votes of the two Houses on certain amendments of the Senate to 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, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendment numbered 1.

That the House recede from its disagreement to the amendment of the Senate numbered 46; and agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and

agree to the same with an amendment, as follows: Restore the matter stricken out by said amendment, amended to read as follows: "$90,774, including compensation in accordance with the classification act of 1923 for two additional judges and such other court employees, within the limit of available funds, as the court may determine to be necessary, and of said sum $6,530 shall be available immediately: *Provided*, That in addition to the sums hereinafter appropriated for the expenses of said court and for any of said purposes there is further appropriated the sum of $22,800, of which $12,600 shall be available immediately"; and the Senate agree to the same.

L. C. PHIPPS,
W. L. JONES,
L. HEISLER BALL,
CARTER GLASS,
M. SHEPPARD,
Managers on the part of the Senate.
C. R. DAVIS,
FRANK H. FUNK,
W. A. AYRES,
Managers on the part of the House.

Mr. KING. What does this mean?

Mr. PHIPPS. It means that the Senate recedes on item 1, which had to do with the proportionate contribution by the District government and the Federal Government. The House figure of $9,000,000 is agreed to.

Amendment 46 was a proviso instructing the Budget officers to set up the bill for the year 1927 on the same basis as that of the bill for the year 1926, and on that amendment the House receded.

The other item was a small one, relating to the new court justices and other expenditures occasioned by the passage of the traffic bill.

Mr. KING. Will the Senator permit an inquiry?

Mr. PHIPPS. Certainly.

Mr. KING. Was there any increase in the number of court bailiffs, clerks, and assistant clerks?

Mr. PHIPPS. The language of the bill, as I recall it, provides for two additional judges and such court officials as may be necessary. I am not quite sure as to the designation of bailiffs.

Mr. KING. The Senator will recall that in the traffic bill which we passed the other day it was provided that there should be four additional clerks and four additional bailiffs. I was wondering whether any attempt had been made in this appropriation bill to nullify the traffic measure with respect to the number of employees.

Mr. PHIPPS. Quite the reverse. Every endeavor was made to have the appropriations contained in this bill and in the deficiency bill which we have just acted upon conform exactly with the provisions of the traffic measure as agreed to by both the House and the Senate.

The PRESIDENT pro tempore. The question is on agreeing to the conference report.

The report was agreed to.

FINES, PENALTIES, FORFEITURES, AND LIABILITIES IN THE POSTAL SERVICE

Mr. STERLING. Mr. President, I report back favorably without amendment from the Committee on Post Offices and Post Roads the bill (S. 4232) to amend section 409, Revised Statutes of the United States, relating to fines, penalties, forfeitures, and liabilities in the Postal Service. I ask unanimous consent for the present consideration of the bill. It is a short measure.

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

The Chief Clerk read as follows:

Be it enacted, etc., That the provisions of section 409, Revised Statutes of the United States, shall extend in all cases now pending or which may hereafter arise to balances due to the United States through accountability for public moneys under any provision of law in relation to the officers, employees, opecations, or business of the Postal Service.

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

Mr. WARREN. I shall not object if it will take no time, but the Senator must remember that we have an appropriation bill now before the Senate.

Mr. SMOOT. I do not intend to object, at least until the Senator can make an explanation of the bill. We can hardly tell what the effect of it would be by simply hearing it read.

Mr. STERLING. Section 405 of the Revised Statutes simply authorizes the postmaster to adjust——

Mr. ASHURST. I ask that the bill go over until I can have an opportunity to examine it.

The PRESIDENT pro tempore. Objection is made. The request may be made later.

SECOND DEFICIENCY APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes.

Mr. BORAH. Mr. President, I sent to the desk a short time ago an amendment which I shall in a few moments propose. I ask that the clerk may read the amendment.

The PRESIDENT pro tempore. The amendment will be read as requested.

The CHIEF CLERK. Insert at the proper place in the bill the following:

SECTION 1. That the following provision contained in H. R. 12101, being the legislative appropriation bill, passed and approved February —, 1925, reading as follows:

"SEC. 4. That section 4 of the legislative, executive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as follows: 'That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $10,000 per annum each.'"

be, and the same is hereby, repealed.

SEC. 2. That on and after the passage and approval of this act the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $12,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $7,500 per annum each.

Mr. BORAH. Mr. President, before I formally tender the amendment I want to say a word in explanation. It is not my purpose to go at length into a discussion of the matter because it is late and all are impatient. But I do think the extraordinary situation that has arisen, being an attempt to repeal a law immediately after it has been enacted, requires some explanation and discussion.

Before preparing the amendment and before offering the amendment I consulted with a number of Senators in the body and I found almost without exception the feeling that the matter of the change of our salaries had not been sufficiently considered at the time it was incorporated in the legislative appropriation bill. Some Senators entertained the idea that the raise of salaries could well be justified. Others felt that at this time it was inopportune, but whether favorable to the raise or unfavorable to it, there was a feeling that the matter ought to have further discussion and consideration. After consultation I concluded to offer an amendment to the deficiency appropriation bill which, if adopted, would restore the law as it existed prior to the passage of the legislative appropriation bill, should that become a law, as I assume it will in all probability. There was some difficulty in drawing the amendment for the reason that at that time the bill had not been signed and I do not know that it is yet signed. Nevertheless if the amendment is adopted and goes into the deficiency appropriation bill, should that bill be signed the salaries will be restored to the provisions of the old law.

What I desire to urge is this: Undoubtedly the question of changing the salaries of the Members of the House and of the Senate will come along for consideration and is a matter which should come along for consideration, I will assume. But I feel that it ought to come as a separate and independent measure and ought to be passed, if it is passed, after we have had ample time to consider it, and particularly it ought to be considered in connection with other salaries of Government officials, bills for the changing of which are now pending before the Congress. We have pending before the committees bills changing the salaries of Federal judges. There are other bills relating to salaries of Federal officials pending somewhere before some of the committees. The entire question of a change of salaries or whether or not under present conditions salaries are sufficient will undoubtedly come along for consideration. But it ought to be considered, it seems to me, in connection with the entire subject matter, not only that of raising the salaries

of the Members of Congress, but of adjusting the salaries of Federal officials. While I feel that none of these salaries, including our own should be raised, yet assuming it is a matter that we must consider, we should consider it in the open and after full discussion.

Certainly the Congress would not want to be placed in the position of raising the salaries of our Members and disregarding the claims of other officials for a raise of their salaries. Certainly the equitable and open and candid way to deal with the matter is to deal with it in a general salary bill, as it were, covering the entire subject matter where salaries are being raised or sought to be raised. I think that is the proper thing to do, regardless of the merits or demerits of the question of raise, which I do not care to discuss unless it becomes absolutely necessary to do so. Regardless of that question the salaries ought to be restored, so that they will be as they were before an attempt was made to change them, and then we may take up the entire subject on the coming in of the next Congress for the purpose of dealing with it as a whole.

The Congress fixes the salaries of its own Members. That is an extraordinary privilege, and it ought to be dealt with in the most open and candid and deliberate way. We all know that there was no discussion of the subject either at the time of the passage of the bill or previously. We know there was no discussion of it at any time during the late campaign. We know the matter had never gone into the public press or before the country. I do not think it is a wise program to raise our salaries, a matter which is wholly within our own hands, and from which there is no appeal, without a full discussion and consideration of it. We should never raise our own salaries until we have so declared our intention to those who send us here.

That is all I desire to say at this time if we can have the matter considered. I trust the Senator in charge of the bill will not raise a point of order. It would be most extraordinary, in view of the condition prevailing at the time of the passage of the legislative appropriation bill, if we should refuse at this time to permit the matter to come before the Senate, and I sincerely hope that the Senator from Wyoming [Mr. WARREN] will not raise the point of order. I offer the amendment.

Mr. WARREN. Mr. President, I do not intend to go into a discussion to any great extent, but I will say that the slight intimation—I will not say inuendo—that there was anything about the passage of the bill that was not done properly and as we legislate here in other appropriation bills, is entirely and utterly wrong. The Senator from Idaho must have been misinformed.

The chairman of the Committee on Appropriations did not inaugurate the movement. It seems that it was brought before the Committee on Finance originally. I do not know how long it was there. I think I heard there was such a matter there a day or two, or perhaps three days, before it was reported. The matter was reported favorably from the Committee on Finance in the form of a bill and went to the calendar, I think, so that it was considered as a bill. It was afterwards referred to the Committee on Appropriations. It was considered by the Committee on Appropriations. The Committee on Appropriations sent the bill to the floor of the Senate with its approval in reporting a bill which included it. It was open to everybody, including the press, if they wished to see it. It finally was sent back to the committee for a change in wording, and again was reported to the Senate as an amendment. That is the history of it so far as the two committees are concerned.

On the other hand, as to the bill itself, I reported the legislative appropriation bill as chairman of the Committee on Appropriations, I think on Monday morning; I do not remember the exact date, but it was reported on the morning of the day before it was called up. I stated at the time I reported it that I should take advantage of the first opportunity to secure its passage. Furthermore, on the day that it was passed; in fact, just before 2 o'clock, my friend the Senator from Maine [Mr. FERNALD] stood in front of me, demanding the attention of the Chair upon some measure, I think the Cape Cod Canal matter; and I immediately appealed to the Chair and presented in that demand the privileged question of taking up an appropriation bill, stating that I desired to take up an appropriation bill.

The Chair ruled, and properly so, that my motion was in order and the appropriation bill was taken up. That was the District of Columbia appropriation bill. In the few remarks which I made touching on that bill, I stated plainly and clearly that I should ask for an evening session because I intended to ask to have the legislative appropriation bill called up immediately following the disposition of the District appropriation bill. After a recess from 5 o'clock to 8 o'clock that evening we came back, and my colleague, the Senator from Colorado [Mr. PHIPPS], in charge of the District appropriation bill, had about concluded with that bill and I was here ready to take his place with the legislative appropriation bill.

At the conclusion of consideration of the District bill I called up the legislative appropriation bill and it was passed in an entirely regular way. The amendment in question, although it could have been incorporated in the bill in the first instance, possibly involved a question which often arises as to whether it was or was not legislation. That question was such that I felt it was better to offer the amendment from my place as a committee amendment suggested, and it was sent to the desk, read at the desk, and agreed to.

It has been stated in the newspapers—but their authority I can not guarantee here—that we passed the bill in 10 or 12 or 15 minutes. It was a short bill; it was a bill with few amendments, less than 15 amendments altogether, and there were probably only twenty-odd or perhaps 30 pages in the bill. As a comparison, to show whether there was anything unusual about that, I am told that we passed a bill appropriating the sum of over $760,000,000, fifty times as large in amount and two and a half times as large in the number of pages—that is to say, the Treasury and the Post Office Department appropriation bill—in about the same length of time, or perhaps three or four minutes longer than it took to pass the legislative appropriation bill.

The fact that some Senators may not have come back after the dinner recess certainly was hardly a matter that need to be observed so long as there was the usual number of Senators present. I see in that nothing that should be raised as a question of the manner in which the bill was passed.

The Senator from Idaho, of course, knows, because his knowledge is as great as that of any man present or who could be present, that the amendment is not in order.

As to his observations about the courts——

Mr. BORAH. Before the Senator leaves that and goes to another point, I hope the Senator will not construe my remarks as impugning the motives of either the Senator from Wyoming or anyone else. I simply said that the bill passed without discussion.

Mr. WARREN. I merely stated the circumstances.

Mr. BORAH. I am not impugning anybody's motives at all. I am not going to take up that matter for discussion if I can avoid it.

Mr. WARREN. Mr. President, a number of years ago I happened to be chairman of a subcommittee at the time when the first successful effort was made to raise the salaries of the President and other Government officers. It was my privilege then, or my burden—whichever way it may be considered—to have charge of the bill which was brought in here providing a salary of $100,000 for the President, $10,000 for Members of the House and Senate, and fourteen or fifteen thousand dollars for the Justices of the Supreme Court. On the floor of the Senate, Members of the Senate who were learned in the law said that we should let the Committee on the Judiciary consider the questions affecting judicial salaries.

It was not thought in some quarters that the committee which had charge of that bill had treated the members of the judiciary as others thought they should be treated in the figures which were suggested in that bill. So the provision affecting judicial salaries was left out of that bill. Afterwards, however, the salaries of district, circuit, and Supreme Court justices were increased.

At that time, also, we were forced to recede from the figure which had been proposed for the salary of the President of the United States and to make that salary $75,000 a year, at which point it has remained since, and the salaries of Senators and Members of the House were made and have likewise remained at $7,500.

Of course, the amendment proposed by my friend from Idaho came from no standing committee; it had the approval of no standing committee. Whether Senators and Representatives who want their salaries increased will stand up and vote or answer to their names or will vote in the manner usual in considering various legislative measures I do not know; but if I can judge the sentiment of the country and of the press, if the Senate and House after adopting this salary provision in a legitimate way, as they have done, shall, as it is said in the Army, "turn tail and run to the rear," then the country ought to know it and know it now. In other words, the country ought to know whether we are quitters and men without courage. I am constrained, Mr. President, to make the point of order against the amendment, as it is legislation.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER (Mr. WADSWORTH in the chair). Does the Chair understand that the Senator from Wyoming has made a point of order against the amendment?

Mr. WARREN. I make the point of order against the amendment, but I do not wish to cut off debate.

Mr. MOSES. Mr. President——

The PRESIDING OFFICER. Does the Senator from New Hampshire desire to discuss the point of order?

Mr. MOSES. No; the point of order is not debatable, but——

Mr. WARREN. I do not wish to cut off debate.

Mr. MOSES. I do not understand that the point of order is debatable, but an appeal would be debatable.

The PRESIDING OFFICER. The Chair is ready to rule. The Chair——

Mr. MOSES. Mr. President, before the Chair rules, may I be permitted to say in line with what the Senator from Wyoming [Mr. WARREN] has said, that I happened to have been in the chair at the time the original ruling was made which brought the appropriation bill before the Senate? I also happened to have been in the chair at the time this amendment was agreed to. Antecedent to the agreement to the amendment, the Senator from Kansas [Mr. CURTIS], the majority leader on the floor of the Senate, in seeking the unanimous-consent agreement which brought about the night session, gave notice that at that session it was intended to take up the District of Columbia appropriation bill, following which the legislative appropriation bill would be laid before the Senate. That notice was followed to the letter.

The District appropriation bill was brought before the Senate at the night session. It was passed with some degree of speed, I will admit, but that was because the Senate was in a mood to pass it. The legislative appropriation bill came before the Senate and the amendment was offered by the Senator from Wyoming [Mr. WARREN] in behalf of the committee. The question was stated by the then occupant of the chair, myself, that it was an amendment offered by the Senator from Wyoming in behalf of the committee. The amendment was read by the reading clerk of the Senate, whose diction can not be misunderstood by any Senator within the hearing of his voice. The question was put upon agreeing to the amendment offered by the Senator from Wyoming in behalf of the committee. There was nothing clandestine about the proceeding at any time.

Mr. BORAH. Mr. President, I wish to ask to have inserted in the RECORD as a part of my remarks an extract from the CONGRESSIONAL RECORD of February 17, 1925, at page 3957, beginning with the words "Legislative appropriations," down to the end of the proceedings on page 3958.

The PRESIDING OFFICER. Without objection, consent to do so is granted.

The matter referred to is as follows:

LEGISLATIVE APPROPRIATIONS

Mr. WARREN. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of House bill 12101, being the legislative appropriation bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill (H. R. 12101) making appropriations for the legislative branch of the Government for the fiscal year ending June 30, 1926, and for other purposes, which had been reported from the Committee on Appropriations with amendments.

Mr. WARREN. Mr. President, it is not a very long bill and there are but few amendments to it. I will ask that the formal reading of the bill may be dispensed with and that it be read for amendments, the committee amendments to be first considered.

The PRESIDING OFFICER. Is there objection? The Chair hears none. The Secretary will state the first amendment.

The first amendment of the committee was, under the heading "Senate, office of the Secretary," on page 2, line 15, before the words "financial clerk," to strike out "reading clerk, $4,500," and insert "chief clerk, who shall perform the duties of reading clerk, $4,500"; in the same line, before the word "clerk," where it occurs the second time, to strike out "chief" and insert "principal"; and in line 17, before the word "clerk," where it occurs the second time, to strike out "principal" and insert "legislative," so as to read:

"Salaries: Secretary of the Senate, including compensation as disbursing officer of salaries of Senators and of contingent fund of the Senate, $6,500; assistant secretary, Henry M. Rose, $5,500; chief clerk, who shall perform the duties of reading clerk, $4,500; financial clerk, $4,500; principal clerk, $3,420; assistant financial clerk, $3,600; minute and Journal clerk, $3,600; legislative clerk, $3,150, etc."

The amendment was agreed to.

Mr. WARREN. On behalf of the committee, I offer the amendment which I send to the desk to come in on page 5.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 5, line 13, after the numeral "$2,590," it is proposed to insert "assistant clerk, $1,940," and on page 6, line 10, to correct the total by striking out "$368,170" and inserting "$370,110."

The amendment was agreed to.

The reading of the bill was resumed.

The next amendment of the Committee on Appropriations was, under the subhead "Clerical assistance to Senators," on page 6, line 22, after the figures "$106,400" to strike out "in all, $601,300" and insert "messenger, $1,520; in all, $602,820," so as to read:

"Seventy additional clerks at $1,520 each, one for each Senator having no more than one clerk and two assistant clerks for himself or for the committee of which he is chairman, $106,400; messenger, $1,520; in all, $602,820."

The amendment was agreed to.

The next amendment was, under the subhead "Contingent expenses of the Senate," on page 9, line 7, to increase the appropriation for rent of warehouse for storage of public documents from $1,800 to $2,000.

The amendment was agreed to.

The next amendment was, under the subhead "Capitol Building and Grounds," on page 23, after line 18, to insert:

"For surgical treatment of trees on the Capitol Grounds, $5,000."

The amendment was agreed to.

The next amendment, was on page 24, after line 2, to insert:

"For extension and changing of electric wiring of the attic floor to provide necessary electric lighting for the storage rooms, $1,000; for concrete floor for the attic story, $15,750; for new revolving door for ground floor, southwest corner, Senate Office Building, $1,750; in all $18,500."

The amendment was agreed to.

The next amendment was, on page 27, line 12, after the figures "$745,000," to insert "and authority is hereby given to enter into a contract or contracts or otherwise incur obligations not in excess of this sum," so as to make the paragraph read:

"Toward the construction of new bookstacks in the northeast court of the Library of Congress, $345,000: *Provided*, That the total cost of such stacks shall not exceed $745,000 and authority is hereby given to enter into a contract or contracts or otherwise incur obligations not in excess of this sum."

The amendment was agreed to.

The next amendment was, under the subhead "Library Building," on page 31, line 19, to reduce the appropriation for salaries, for the administrative assistant and disbursing officer and other personal services in accordance with "the classification act of 1923," from $106,498 to $104,398.

The amendment was agreed to.

Mr. WARREN. Mr. President, I desire to offer an amendment which has been considered by the Committee on Finance and reported favorably by them and which also has been considered by the Committee on Appropriations. I send the amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 39, after line 9, it is proposed to insert the following:

"SEC. 4. That section 4 of the legislative, executive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as follows:

"'That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $10,000 per annum each.'"

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Wyoming in behalf of the committee.

The amendment was agreed to.

The PRESIDING OFFICER. The bill is still before the Senate as in Committee of the Whole and open to amendment.

Mr. SMOOT. Mr. President, I send an amendment to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 22, it is proposed to strike out lines 1 to 3, inclusive, and to insert in lieu thereof the following:

"1924, $45,000, of which $25,000 shall be disbursed by the Secretary of the Senate and $20,000 by the Clerk of the House of Representatives,

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from Utah.

The amendment was agreed to.

The PRESIDING OFFICER. The Chair will ask the Senator from Wyoming if there are further committee amendments?

Mr. WARREN. That is the end of the committee amendments.

Mr. WATSON. I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 7, in lines 8, 9, and 10, it is proposed to strike out "upholsterer and locksmith, $1,770; cabinetmaker, $1,520; three carpenters, at $1,390 each"; and to insert in lieu thereof "foreman cabinetmaker, $2,400; upholsterer, $2,100; locksmith, hardwood finisher, and carpenter, at $2,100 each."

Mr. WARREN. Mr. President, the amendment would open up a matter that it is not the intention of the committee to open in connection with this bill. I know the case very well, and it is a case which I expect to bring to the attention of the House committee in the next appropriation bill—the deficiency bill. However, the salary classifications were made in agreement between this body and the House of Representatives, and the salaries provided what might be called statutory salaries. There are three or four amendments of a similar kind. One, I understand, is to be offered by the Senator on my right [Mr. EDGE]. I shall be glad to present that when the proper occasion comes; but I can not consent to such amendments going on the pending bill, because they open up in a measure the understanding which the committee had with the committee on the House side as to this line of salaries.

Mr. WATSON. Very well, with that understanding I am quite content to let the matter rest.

Mr. WARREN. It would have to go to the House in any event, being an amendment; but I may say that the other body has not added a single amendment of that kind to the entire bill.

Mr. WATSON. Mr. President, I have no desire, as the Senator knows, to break into the regular order of things. The employees covered by the amendment I have submitted are wonderfully well qualified and render excellent service, but are underpaid. However, with the understanding that the Senator will call the matter to the attention of the House next time I am quite content.

Mr. WARREN. I shall certainly do so.

The PRESIDING OFFICER. Does the Chair understand the Senator from Indiana to withdraw his amendment?

Mr. WATSON. No.

The PRESIDING OFFICER. Then does the Senator consent to its being disagreed to?

Mr. WATSON. Yes.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from Indiana.

The amendment was rejected.

Mr. EDGE. Mr. President, I offer the amendment which I send to the desk.

The PRESIDING OFFICER. The amendment will be stated.

The READING CLERK. On page 3, line 1, it is proposed to strike out "three" and insert in lieu thereof "four"; and in line 2 it is proposed to strike out "three" and insert in lieu thereof "two," so that if amended it will read:

"Laborers—four at $1,140 each, two at $1,010 each."

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey.

Mr. EDGE. Mr. President, that amendment is perhaps in the same class as the one the Senator from Wyoming has just discussed; but it refers to a laborer in the document room who has been in the employ of the Senate of the United States for twenty-odd years, and is receiving the munificent salary of $1,010 a year. This amendment simply places him in the class above, in which class he would receive a salary of $1,140 a year, an increase of $130. I think after 20 years' service in the document room a man is entitled to have his class advanced to the extent of $130 a year.

Mr. WARREN. Mr. President, do I understand that the Senator is willing to withdraw his amendment?

Mr. EDGE. If I have the same assurance from the chairman that he will press it in the ordinary way, I will not insist on it.

Mr. WARREN. All I can assure the Senator is that we certainly will take it up with House committee and give it serious consideration.

The PRESIDING OFFICER. The question is on agreeing to the amendment offered by the Senator from New Jersey [Mr. EDGE].

The amendment was rejected.

Mr. WARREN. I ask unanimous consent that the clerks at the desk be authorized to correct all totals.

The PRESIDING OFFICER. Without objection, it is so ordered.

The bill is still before the Senate as in Committee of the Whole and open to amendment. If there be no further amendment to be proposed, the bill will be reported to the Senate.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time, and passed.

RECESS

Mr. CURTIS. I move that the Senate take a recess until 12 o'clock to-morrow.

The motion was agreed to; and (at 8 o'clock and 32 minutes p. m.) the Senate took a recess until to-morrow, Wednesday, February 18, 1925, at 12 o'clock meridian.

Mr. BORAH. I am ready to have the ruling of the Chair.

The PRESIDING OFFICER. The Chair sustains the point of order.

Mr. BRUCE. Mr. President, may I say that I trust that the point of order will not be insisted upon? There are some Members of the Senate, I imagine, who would like to have a roll call on this matter. Whether I voted "yea" or whether I voted "nay," I should like to have the privilege of voting "yea" or "nay" as the dictates of my conscience and mind impelled me to do.

In point of fact, I have never had any opportunity to have my vote recorded on this question. About two or three weeks ago I was approached by a Member of the Senate and told that there would be a movement in the Senate with a view to increasing the salaries of Senators and Representatives, and he asked me whether I would not give the matter reflection. I told him that I would. I never said anything more to him after that nor did he ever say anything more to me nor did I ever hear anything more about the matter from anybody nor did I ever say anything more about it to anybody. I supposed that it had been dropped.

I happened to be absent the night that the amendment providing the increase of salary was adopted by the Senate. I had some weeks previously accepted an invitation to a dinner, and I had not the slightest idea that it would be offered for consideration that night. The first intimation that I received that any such amendment had been adopted or that any such step as its adoption was contemplated was when I picked up a newspaper the next morning and saw that it had been adopted. Afterwards, of course, followed the effort of the Senator from Nebraska [Mr. NORRIS] to recall the bill from the other House and to have a reconsideration of the action of the Senate. I voted "aye" on his motion, and I wish it to be known for all time that I voted "aye" on it.

Like the Senator from Idaho [Mr. BORAH], I have not the slightest idea of discussing this question upon its merits at this time, though I am prepared to do so at any proper time; but I do think that the present is an opportune occasion for having a roll call and determining just exactly how the Members of this body feel with reference to the question.

Some of the Members of the Senate are prepared to justify the action of the Senate, I assume. Let them justify it. I am not saying for a moment that it can not be fully justified. Some, I suppose, will impugn the action of the Senate. Let them, too, have their opportunity. But I for one do not propose to be placed before the people of the United States in the attitude of hesitating at any time to say "yea" or "nay" on a roll call on any question that may be pending in this body. I do not think that things of that kind should be done in a corner. I think that they ought to be done, as everything else in the Senate should be done, in the daytime in the light of the sunshine, and at night in the full glare of the chandeliers in this Chamber.

Personally, I do not care what the merits of this proposition are; I do not propose to vote for it when the time comes. I am not going to be a judge in my own cause. If it is proper that the salaries of Members of Congress should be increased, let the President say so; let him send a message here saying that we are underpaid, and suggesting to us the expediency from a public point of view of such an increase or let the movement be initiated in some other quarter. So far as I am concerned, if there is to be an increase of salary, I wish the increase to take effect only after the expiration of my term. Then I will vote for the proposition.

The matter is fundamental. Get back to Jefferson's Manual, the book that to a large extent regulates the procedure of this body. What does Jefferson say with reference to a Member of the Senate voting in relation to any matter where his own personal interests are deeply concerned? What he says is, of course, what has been said immemorially by the English authorities upon parliamentary law:

> Where the private interests of a Member are concerned in a bill or question he is to withdraw. And where such an interest has appeared, his voice has been disallowed, even after a division. In a case so contrary, not only to the laws of decency but to the fundamental principle of the social compact, which denies to any man to be a judge in his own cause, it is for the honor of the House that this rule of immemorial observance should be strictly adhered to.

Mr. WARREN. Mr. President, will the Senator allow me to ask him a question?

The PRESIDING OFFICER. Does the Senator from Maryland yield to the Senator from Wyoming?

Mr. BRUCE. I yield, of course.

Mr. WARREN. If the Senate and the House; in other words, the Congress; shall not fix the salaries of Members, how would they receive any pay?

Mr. BRUCE. If the Members of the Senate and the House do not wish to be suspected of being influenced by personal interest, let the increase go into effect when their present terms of office shall expire.

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

Mr. BRUCE. I refuse to yield; though I am not going to indulge in any high-flown histrionics about this business. I have often said that at times it seems to me as if the whole human race were broken up into two classes—those who are good for nothing and those who are too good for anything. I do not care to be placed in either class.

But I recollect when I was at the head of the Baltimore City law department—and I am giving now an illustration of just how I think a matter of this kind should be handled—there was a proposition to increase the salaries of the higher officials of that city. I was one of them, and I was called on to draft a law providing for the increases. I was glad to have my colleagues receive their increases, but, as I was the draftsman of the law and was expected to push it through the legislature, I provided in the bill that as to my salary the increase should not take effect until the expiration of my existing term of office. That is what I should like to have done in this case. But that is not the point.

As I have said I am not going into the merits of the question any further than to assert what I personally would do were I given an opportunity to vote on it without regard to its strict merits. I desire now merely to declare that I crave the privilege of being put on record; I wish to say "yea" or "nay;" I wish to speak up like a man and permanently register my convictions. Up to this time I have not enjoyed that privilege, and I ask it; I will not say I demand it but I am almost prepared to say that the people of the United States demand it for me and any other Member of Congress who seeks it.

Mr. GLASS. Mr President, will the Senator permit me to interrupt him? It is perfectly competent for the Senator now to go on record and say that had he been present he would have voted against the salary increase. There can be no objection to his doing that.

Mr. BRUCE. But we can have a roll call on the amendment of the Senator from Idaho if the point of order is not insisted on.

Mr. HEFLIN. It has already been sustained.

Mr. BRUCE. But it has been sustained under circumstances, it appears to me, that make it necessary that it should be sustained again.

The PRESIDING OFFICER. The Chair begs to remind Senators that the point of order is not debatable. The Chair has permitted the debate with the understanding that it was proceeding by unanimous consent.

SEVERAL SENATORS. Regular order!

Mr. BRUCE. Mr. President, I do not desire to continue the discussion of the subject. All I care to say is——

Mr. CARAWAY. Mr. President——

Mr. BRUCE. Is the Senator from Arkansas asking me to yield the floor?

Mr CARAWAY. I thought the Senator had yielded the floor.

Mr. BRUCE. No.

Mr. CARAWAY. I thought the Senator was through; I thought he had announced that he was not going to receive his salary and had quit.

Mr. BRUCE. I will yield the floor.

Mr. CARAWAY. Mr. President, I wish to say just this, if I may, that I can not think there was any Member of the Senate who did not know this measure was to be voted upon.

I am saying this frankly because I had said before the measure passed that I thought it was an inopportune time to do it, and I think so now; and with that full knowledge upon the part of the Senators who had it in charge, the Senator from Utah showed me the amendment that had been ordered favorably reported by the committee increasing these salaries; I knew it; I had known it; and there is not a Senator on this floor who, if he had felt inclined to stay here and find out what was going on, would not have had a full opportunity to know it long in advance of its passage. It was published in the press that morning. Everybody knew it. There was a Senator, whose name I shall not call although I see him sitting here, who rushed into the papers the next afternoon and shrieked to high heaven about how they had taken advantage of him and raised his salary. Why, he happened to be on the floor when that occurred; but that made no difference. [Laughter.]

Mr. ASHURST. Mr. President, will the Senator yield to me at that point?

Mr. CARAWAY. Certainly.

Mr. ASHURST. We may look for the conscience fund of our Treasury to be increased by the amount of that Senator's additional salary, I presume.

Mr. CARAWAY. Oh, the conscience fund will not be increased by one cent by these gentlemen who now say they do not want their salary increased. [Laughter.] I am not criticizing them. There are certain times when some people can not resist the temptation to be holier than anybody else. It is temperamental, and they have to yield to it.

Mr. BRUCE. Mr. President, may I interrupt the Senator?

Mr. CARAWAY. Certainly.

Mr. BRUCE. Is the Senator referring to me?

Mr. CARAWAY. If the Senator understood what I said just now, and the Senator thinks I was talking about him, I am perfectly willing that he shall so regard it. I was simply saying——

Mr. BRUCE. May I interrupt the Senator? Was he talking then of me?

Mr. CARAWAY. Oh, not in particular.

Mr. BRUCE. I am glad to hear the Senator say so.

Mr. CARAWAY. Not in particular, naming the Senator. Here is all I wanted to say: I did not think then and I do not think now that it was an opportune time to have voted the raise. Everybody, I think, knows how I stood with reference to it. I know that before the Senator from Utah showed me the amendment and afterwards I told him the same thing. I was present when the amendment was offered and voted on. I did not think it was opportune; but I thought, if other people thought differently, it was one of those things that was so easy to be misunderstood and so hard to make yourself understood, that somebody would think you were seeking the limelight, being conscious that it was going to pass.

I am not criticizing anybody. This is all I want to say: If there was anything clandestine about it, I never knew it. I knew, and everybody, as I supposed, knew that I was opposed to it. I knew that it was coming up. If anybody did not know it, I do not know how he could have been a Member of the Senate and paying any attention to what was going on in the Senate.

I know that there was not anything clandestine about its passage. I know that it was as open as any other amendment that went on any other appropriation bill since I have been here. I know that there was a great deal more publicity about it than there was about the amendment offered here a minute ago to pay three hundred and some odd thousand dollars to the Osage Indians of Nebraska. There was more known about it than there was about the $5,000,000 to be paid for silver just voted on.

Mr. REED of Missouri. Mr. President——

The PRESIDING OFFICER. Does the Senator from Arkansas yield to the Senator from Missouri?

Mr. CARAWAY. I yield to the Senator.

Mr. REED of Missouri. Does not the Senator think that it is probably the only amendment to any bill that has been thoroughly understood by every Senator during the session? [Laughter.]

The PRESIDING OFFICER. The Senate will be in order.

Mr. CARAWAY. It was so thoroughly understood that I am astonished when any Senator says he did not know it was going to happen.

Mr. BRUCE. Mr. President, may I interrupt the Senator for a moment? I desire to assert again that I did not have the slightest intimation or knowledge in any shape or form that this proposition would be taken up by the Senate—not the slightest.

Mr. CARAWAY. The Senator knew that the Senate was to be in session that night; did he not?

Mr. BRUCE. Of course I did.

Mr. CARAWAY. And the Senator knew that legislation was going to be had that night. Does the Senator think that somebody should have hunted him up and told him what was going to be considered that night if he wanted to be absent?

Mr. BRUCE. My observation is that legislation is not always enacted when the Senate is in session. Sometimes a paralysis seems to seize it, and no legislation at all is enacted. I do not desire, however, to speak with any heat or overemphasis about this matter. All I have to say is that I had no information whatever that the amendment was to be adopted.

I am not going to discuss the merits of the proposition at this time, nor am I questioning anybody's right to take any view about them that he pleases—not the slightest. The view of any Member here may be far more correct than mine. All I am saying is that I am glad that the Senator from Idaho

has given each one of us, if we are allowed to exercise it, the privilege of voting "yea" or "nay."

Mr. REED of Pennsylvania. I call for the regular order.

Mr. CARAWAY. May I just say this, and then I shall yield the floor:

I am perfectly willing to accord to the Senator from Maryland sincerity when he says he did not know that legislation of this kind was going to be had. He said that the Senate and the House ought not to vote for the increase of their own salaries; that the President, as I understood him, should send word down here when he thought the Congress ought to raise their salaries.

Mr. BRUCE. Mr. President, may I interrupt the Senator for just a moment to say that I can not conceive of any other way in which such legislation could be initiated outside of Congress itself. I merely happened to make one suggestion that occurred to me; that is all.

Mr. CARAWAY. Well, of course, it might be well to abolish both the House and the Senate; but as long as the Constitution requires them to make appropriations, I am unable to turn even my salary over to the President, though I am sure he likes me so well that he would raise it immediately. [Laughter.]

The PRESIDING OFFICER. The point of order is well taken.

Mr. BORAH. Mr. President, I desire to move to suspend paragraph 3 of Rule XVI in order that the amendment which I send to the desk may be offered. I send to the desk the notice which I filed upon the 23d instant.

The PRESIDING OFFICER. The Secretary will read the notice.

The Chief Clerk read as follows:

NOTICE BY MR. BORAH

I hereby give notice that under Rule XL I will move to suspend paragraph 3 of Rule XVI in order that I may propose to H. R. 12392, making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes, the following amendment:

"SECTION I. That the following provision contained in H. R. 12101, being the legislative appropriation bill passed and approved February —, 1925, reading as follows:

"'SEC. 4. That section 4 of the legislative, executive, and judicial appropriation act, approved February 26, 1907, as amended, is amended to read as folows:

"'"That on and after March 4, 1925, the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $15,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico, and Resident Commissioners from the Philippine Islands shall be at the rate of $10,000 per annum each,"' be and the same is hereby repealed.

"SEC. II. That on and after the passage and approval of this act the compensation of the Speaker of the House of Representatives, the Vice President of the United States, and the heads of executive departments who are members of the President's Cabinet shall be at the rate of $12,000 per annum each, and the compensation of Senators, Representatives in Congress, Delegates from Territories, Resident Commissioner from Porto Rico and Resident Commissioners from the Philippine Islands shall be at the rate of $7,500 per annum each."

Mr. BORAH. Mr. President, I make a motion to suspend paragraph 3 of Rule XVI.

Now, Mr. President, I want to say a word further in regard to this matter.

The Senator from Arkansas [Mr. CARAWAY] has stated that no Senator could have been ignorant of the fact that this amendment was going to be voted upon. I do not claim, Mr. President, that I was ignorant of the fact that it was coming along, although the matter never had been brought to my attention by any Member of the Senate; but I knew that a bill had been introduced to that effect, and I had my opinion about the probability that it would be offered as an amendment at some time to some bill, so I was not acting in ignorance of the situation. I am perfectly aware, too, of the embarrassment which a Senator suffers by reason of being absent at a time when some business is transacted to which he might have made objection and to which he afterwards desired to make objection; but may I say this:

When I went to my dinner that night I left my house at 8.25, understanding—in fact, it was so telephoned—that the District of Columbia bill would come along first. I knew it could not possibly be disposed of inside an hour. When I arrived at the Senate Office Building and called up on the telephone to find out what was going on in the Senate at 8.35 I found that the Senate had adjourned. Of course, no one was to blame for that but myself, and I am not blaming anyone but myself. I was absent 32 minutes while the Senate was in session. I found next morning that the District of Columbia bill had been partially finished, laid aside, and the legislative appropriation with this amendment taken up and passed—all in 30 minutes.

I did not feel that I could quite satisfy my obligation to the situation by remaining silent. In raising this question I was also perfectly aware that I would be subjected to the charge of "holier than thou"; but I was between two fires, and I either had to take that criticism or else to take criticism from myself for not doing what I thought, under the circumstances, I ought to do.

Mr. President, let me say just a word further:

I voted against the bonus for the soldiers. I did so for one reason—upon the ground of economy. That bill was vetoed, in the first instance, by the President of the United States on the ground of economy. That was only one of the elements entering into the matter so far as I was concerned; but it was one and an important one. I also voted against the raise of the postal employees' salaries, and I had stated publicly that I was opposed to this raise in salary. I had also stated that I was opposed to the raise in regard to the judiciary. So, Mr. President, I felt that those of us who felt that the time was inopportune ought to have an opportunity to express our views in regard to it and, if possible, to record our votes in that way. I felt and still feel that the whole proposition of raising the salary is a mistake.

But there is another reason which was very controlling with me, and more than all other reasons put together. The Republican Party has been making a fight for economy for the last three or four years, and in many instances it has been very ably supported by the Democratic Party. It would be difficult, if you would take the RECORD here, to determine which party is entitled to the greater credit for the effort to reduce the expenditures of the Government. In my opinion, when this bill goes through the contest for economy in governmental expenditures is over.

I think it is the beginning of the raise of the salary of every Federal official in the United States who feels that his salary is too low. I feel that the Democratic Party and the Republican Party are both equally interested in keeping down the expenditures of the Government; and I am satisfied that after we have raised our salaries and started the movement we will not be in a position to deal with the other matters as we would feel free to deal if that had not taken place. We can not raise our salaries and refuse to raise others. The movement is on. The taxpayers of this country will have millions added to their burden, already more than many of them can carry. So it is not the mere question of a million and a half dollars which is added to the expenses of the Government but it is the question of the policy which we have undertaken to maintain, and which, in my judgment, will end in case this proposition finally is crystallized into law.

These are some of the reasons, Mr. President, why I felt constrained to do this. I have no doubt as to the correctness of my position.

Now, Mr. President, I move that paragraph 3 of Rule XVI be suspended.

The PRESIDING OFFICER. The question is upon the motion of the Senator from Idaho.

Mr. HEFLIN. Mr. President, I shall detain the Senate only a few moments. There are several measures pending that should be passed before final adjournment. I just want to remind the Senate how careless my good friend, the able Senator from Idaho [Mr. BORAH], has been regarding several important matters in the Senate.

He permitted a bill to pass here not long ago, without lifting his voice in opposition, appropriating $300,000,000 to refund to rich highbrows taxes that had been paid by them. That amount will pay the increase in the salaries of the Members of Congress for 232 years; and the Senator from Idaho never lifted his voice. [Laughter.]

The Senator advocated here the bill that appropriated $20,000,000 to a foreign country, to the Soviet Government and people of Russia. It passed the Senate. The Senator from Idaho supported it and it took out of the Treasury $20,000,000 of American money.

He now has a bill pending here regarding the payment for property that we took from the enemy during the war. If his bill becomes a law it will cost the Government of the United

States over $600,000,000. He provides in that bill, as I understand it, for the return of the ships we took from the enemy, which is without a parallel in human history, so far as I know. Six hundred million dollars!

The Senator is willing to have that enormous amount of money appropriated for the purpose set forth in his bill. All this reminds me of the story of a negro who was tried and convicted in court for a serious offense, and the judge said, "I am going to sentence you to a term of 20 years. What have you to say why the sentence of the law should not be pronounced upon you?"

The negro replied, "Nothin', Jedge, except you is the most liberal man with other people's time that I ever heerd tell of." [Laughter.]

The Senator from Idaho is exceedingly liberal with other people's money—with the Government's money—when it comes to giving it to foreign governments, but he does not want the Members of Congress, it seems, who stay here day and night when the Senate is in session, and I am one of them and there are others here who are, to have decent salaries.

I have long advocated this increase. I have known the need of it. I have stated time and time again that I would support it. Government clerks and subordinate officials and special attorneys in the Capital of our Nation draw salaries larger than those of United States Senators, who can vote millions out of the Treasury, which means the purse of the people, who have it in their power to roll tax burdens upon their backs. United States Senators from the sovereign States of this Union, some of whom devote all of their time to the public service, draw only $7,500, and one of the able and strong men on the other side, the junior Senator from Idaho [Mr. GOODING] said to-day that he and his family found it difficult to live here on his salary. There are other Senators, men who are serving the American people faithfully, who frequently are compelled to overdraw their bank accounts. There is not a thoughtful, fair-minded, patriotic man or woman in this country who does not believe that an honest, able, and faithful United States Senator or Representative is worth over $7,500 a year.

Why should not the salaries be raised to $10,000? There are, I am told, some Senators who have large law practices back home, who make twenty-five to fifty thousand dollars outside of the salary received here. They should not be permitted to say what a real Senator should receive for his services here. I think that the salary of a Senator, devoting his time and his talent and the best that he can give to the service of the American people, ought to be sufficient to take care of him while he is engaged in the service of the people. I have a list here showing some of the salaries of Government employees in the Capital, beginning with the Secretary to the President, $7,500, as much as a Senator's salary; Undersecretary of the Treasury, $10,000; Assistant Secretary of War, $10,000; members of the International Joint Commission, each $7,500; Internal Revenue Commissioner, $10,000; economic advisor, $10,000; Director of the Budget, $10,000; assistant, $7,500; Treasurer of the United States, $8,000; judges of the Court of Customs Appeals, $8,500; judges of the Court of Claims, $8,000; tariff commissioners, $7,500; members of the Federal Reserve Board, $12,000; members of the Federal Trade Commission, $10,000; Associate Justices of the Supreme Court, $14,500; Chief Justice, $15,000; members of the Federal Farm Loan Board, $10,000; Prohibition Commissioner, $7,500; collectors of customs, $12,000; collector of customs at the port of New York, $8,000. As the Senator from Tennessee [Mr. MCKELLAR] pointed out the other day, attorneys for the Shipping Board draw salaries as high as $25,000.

The people of the States do not want their Members of Congress dragging around this Capital on salaries that are inadequate to take care of them properly. I have not done anything wrong in voting for this matter, and I resent the imputation that comes from the position taken on this matter by the Senator from Idaho. I feel that I, as a Senator from Alabama, am entitled to draw a salary that is ample to meet my needs while serving the people of my State. Ten thousand dollars is not really enough for some faithful Senators that I know in this Chamber, who stay here and work here all the time when the Senate is in session, and who are not absent when important matters are being considered, and then come back later with a lecture for the whole Senate, when they were off somewhere having what they call dinner in the evening at 8 or 9 o'clock at night.

If the splendid people of the sovereign State who sent me here are not satisfied with my vote on this question, they can hold me responsible for it. I am their servant. So it is with other Senators. But the people of my State want to see their Senators well provided for in the way of a fair and adequate salary that they may be comfortable in their service here; that they may be free from financial embarrassment, so far as their expenses here and at home are concerned.

I know some rich Senators who are worth a million dollars, and who, I am sorry to say, do not favor this increase of salary. Of course, I do not expect them to favor it. There are some people who think nobody should be a Member of the Senate but a millionaire, and if the idea of the Senator from Idaho prevails, the day will come when men of merit, men of courage, who dare to champion the cause of the people, can not afford to come here as Senators. Then the purse-proud plutocrats will have their day, and buy seats in this Chamber as they now buy seats on the stock exchange. I am opposed to such a thing as that.

The Senator from Idaho, my good friend, is an able, strong man; this is the very worst thing that I have ever known him to do. [Laughter.] I think that he himself is now sorry that he got into this untenable position. He permitted a bridge bill to pass the other day, a meritorious measure, providing for a bridge to span the Potomac River, costing $14,000,000; and he was as silent as a tomb.

A bill went through here the other day appropriating a million dollars to employ lawyers to come here and look after certain things for the Government, when we have district attorneys and their assistants, 300 and more of them, already paid to do that work; and the Senator never lifted his voice to speak against that.

Mr. MCKELLAR. Mr. President, a number of those lawyers draw $10,000 a year.

Mr. HEFLIN. Ten thousand dollars a year. I thank my friend from Tennessee.

Oh, Mr. President, I will tell you the trouble with a lot of Members who have a hard time. The big interests go to them and say "You are not getting a salary that is adequate. Why do you not lay by a little something and invest in this proposition?" Senators, I know a case, which I will now tell about, where a Member of the House, during my service there nearly 20 years ago, invested $500 with a certain concern, and he received a dividend check in a little while paying him a 20 or 25 per cent dividend. He said to me, "Is not that fine?" I said "Yes. Where did it come from?" He said "I put $500 in such and such a stock. That is a good thing." I said "You know the reason I never go into those things?" He said "Why?" I said "I have not got the money to invest in things like that; and, in the second place, they will tie your hands, and you will be involved before you know it. They probably have set a trap for you in this instance."

Inside of six months he came back to me and he said, "You told me the truth. They have asked me to support legislation that benefits the concern I am a stockholder in." I never thought of such a thing. I am going to get out of it. That is the trouble. If the people of this Nation are wise they will provide salaries that are ample for men who come here and study great public questions and devote themselves to the people's business.

I said I would not talk long, and I am not going to; I am about to conclude now. If the Senator from Idaho does not want to take his salary, oh, Mr. President, he can refuse it; but I believe that when it comes due that we can induce him to take it. He will be like Private John Allen was.

John Allen went home from New Orleans once after he had been down there fishing with the boys. They had treated him royally, wined and dined him, until he was a little weary and worn, and when he arrived at home he saw his doctor at the station. He said, "My wife is a crank on the prohibition question. I haven't got a drop in my grip. I feel that I must have a little to taper off on. Won't you send a bottle up and beg her yourself to give it to me as medicine?" The doctor said, "I will."

When John arrived at home his wife met him and said, "How are you feeling, my dear?"

He said, "Very poorly. I have never felt quite so weak. I feel like I need a stimulant, but I am not going to take it. I will never touch another drop of it; never, never."

She said, "Well, now, John, you must not be cranky on the subject."

He said, "No; I have made up my mind."

He lay down on the bed, and the phone rang, and Doctor Jones said, "Mrs. Allen, I am sending up a quart. You make a nice mint julep and make your husband drink it. I saw him at the station. He is weak and worn to a frazzle. You give him this mint julep."

The brilliant John Allen was lying there on the bed, and he heard the ice chunks clinking in the glass. [Laughter.] His wife bore the mint julep into his bedroom in graceful, queenly fashion, with frost on the sides of the glass, a bank of sugar an inch deep at the bottom, and three strawberries nestling thereon like so many eggs in a bird's nest, while the mint leaned over the rim of the glass.

His wife took it up to the bedside and she said, "Now, I want you to take this."

He said, "I can't do it. I have said I will not do it."

She said, "But John, you must drink it. The doctors says for you to take it. The doctor has prescribed it"—

As we are about to prescribe a dose for the Senator from Idaho. [Laughter.]

She said, "You must take it."

He said, "I can't, and I won't."

She said, "Won't you take it for me?"

He said, "If you put it that way, I will." [Laughter.]

He took that mint julep glass in his hand. The amber-colored liquid flowed over the velvet folds of his stomach like a dew-drop sinking into the heart of a rose. [Laughter on the floor and in the galleries.]

The PRESIDENT pro tempore. The Chair warns the occupants of the galleries that it is against the rules of the Senate for the occupants of the galleries to express either approval or disapproval.

Mr. HEFLIN. So Private John Allen disposed of the contents of the glass, and looking up at his wife, said, "I believe I am going to sleep now, but before I fall into a deep sweet sleep, let me ask you a question. When did the doctor tell you to give me another mint julep?" [Laughter.]

She said, "In two hours."

"Well," he said, "If I am asleep, wake me [laughter], and if I won't take it, make me." [Laughter.]

So, Mr. President, I do not think it will be very hard to make the able Senator from Idaho [Mr. BORAH]—and we all love him, or did before this [laughter], and of course we do now; we are even going to forgive him for the wrong that he has done in this instance, even in the face of the fact that he brought it all upon himself. [Laughter.]

The self-constituted conscience keeper of the Senate has come in to lecture us. When we were all busily engaged attending to our duties here as Senators, trying to legislate in the interest of the people, a Member of the Senate who happened not to be here at the time when the salary increase measure passed now comes in and undertakes to call the Senators to judgment who voted an increase in the salaries of Members of Congress during his absence.

I want to say, Mr. President, that when this measure reached the House they debated it and had a rising vote upon it, and it was carried by a two-thirds vote, with 10 or 15 votes to spare. So there was nothing secret about it. But the Senator from Idaho has deliberately jumped into the arena all by himself against practically all of the 435 Members of the House and 95 Senators, representing and responsible to a hundred million of people.

Oh, Mr. President, it takes a daring and peculiarly brave and courageous man to do a thing like that; and I am reminded of a peddler who was selling trinkets. He had them in saddle-bags on a horse; and, riding down the road in the country, he found a wood sawyer on the roadside sawing wood. He asked him if he thought his wife would be interested in those trinkets.

The wood sawyer said, "I don't know. She is up there in the house on the hill all alone. She is a red-headed woman, and a high-tempered woman, and if she tell you no, you flee for your life." The peddler went away with doubts and misgivings. He rode up, got off his horse, and knocked on the door. She pulled the door slightly open, peeped out, and said, "What do you want?" He said, "I want to sell you some trinkets," and commenced to display them. She said, "No," and shut the door. He whirled and mounted his horse and as he rode away he saw a wildcat jump into the house at a window. The doors were all closed. He hurried down to where the wood sawyer was sawing wood and said, "Jump on my horse and run for your life. A wildcat jumped into the house where your wife is, the doors are closed, and she is all alone." The wood sawyer wiped the perspiration from his brow and put his big hands on his hips and looking straight at the stranger said, "Did you drive that wildcat in there or did he jump in there of his own accord?" And the peddler replied, "He jumped in there of his own accord." "Then," said the wood sawyer, "I shall not help him; he will get what is coming to him. May the Lord have mercy on him." [Laughter.]

Mr. BAYARD. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. BAYARD. Under what rule of this body can we proceed to repeal a non-existent law?

The PRESIDENT pro tempore. The Chair does not recognize that as a parliamentary inquiry.

Mr. BAYARD. May I state my point? The motion of the Senator from Idaho purposes to suspend the rule for the purpose of passing upon the proposed amendment to the pending bill. He purposes in the language of his amendment to repeal an existing law. Under section 1 of his amendment he has said:

> That the following provision contained in H. R. 12101, being the legislative appropriation bill passed and approved February —, 1925, etc.

There is no such law in existence. I ask the Chair whether or not we can proceed to suspend our rules for the purpose of passing in any way whatever in the way of a repeal of a non-existing law?

Mr. BORAH. Mr. President, there are two provisions to the amendment. I sought to catch the proposition going and coming. I did not know and, of course, could not know when I drew the amendment whether the bill would be signed by the time it was here considered or not, but I provided for the repeal. That would, of course, be ineffective in case it had not become a law. But section 2 provides that after the passage of this bill the salaries shall be thus and so, so the second section having been passed subsequent to the signing of the other bill would impliedly repeal it whether the other was in the amendment or not.

The PRESIDENT pro tempore. The Chair is of the opinion that the point of order ought to be made after the amendment comes in order, if at all. The question is upon the suspension of the rule.

Mr. BORAH. Upon that question I ask for the yeas and nays.

The PRESIDENT pro tempore. Is the request seconded? [After a pause.] The Chair is of the opinion that the yeas and nays are not sufficiently seconded, but will put the question again in order that there may be no doubt about it. Those who second the demand for the yeas and nays will raise their hands. [After a pause.] The demand is sufficiently seconded, and the clerk will call the roll upon the motion to suspend the rule.

The Chief Clerk proceeded to call the roll.

Mr. JONES of New Mexico (when his name was called). I have a general pair with the Senator from Maine [Mr. FERNALD]. I transfer that pair to the Senator from New Jersey [Mr. EDWARDS] and vote "nay."

Mr. OWEN (when his name was called). I transfer my pair with the senior Senator from West Virginia [Mr. ELKINS] to the senior Senator from Tennessee [Mr. SHIELDS] and vote "nay."

The roll call was concluded.

Mr. SIMMONS (after having voted in the negative). I have a general pair with the senior Senator from Oklahoma [Mr. HARRELD] who, I think, has not voted.

The PRESIDENT pro tempore. That Senator has not voted.

Mr. SIMMONS. I transfer that pair to the junior Senator from West Virginia [Mr. NEELY] and let my vote stand.

Mr. GLASS (after having voted in the negative). I have a general pair with the senior Senator from Connecticut [Mr. MCLEAN]. In his absence I withdraw my vote.

Mr. ERNST. I have a general pair with the senior Senator from Kentucky [Mr. STANLEY]. I am informed that he would vote as I intend to vote. I vote "nay."

Mr. McKELLAR. The Senator from West Virginia [Mr. NEELY] is necessarily absent. He has a general pair.

Mr. ASHURST. I was requested to announce that the senior Senator from Tennessee [Mr. SHIELDS] is unavoidably absent. If he were present he would vote "nay."

The result was announced—yeas 18, nays 64, as follows:

YEAS—18

Borah	Couzens	Norbeck	Walsh, Mass.
Bruce	Curtis	Norris	Walsh, Mont.
Butler	Johnson, Minn.	Ralston	Willis
Capper	King	Sheppard	
Caraway	Metcalf	Trammell	

NAYS—64

Ashurst	Bursum	Dill	Frazier
Ball	Cameron	Edge	George
Bayard	Copeland	Ernst	Gerry
Bingham	Cummins	Ferris	Gooding
Brookhart	Dale	Fess	Hale
Broussard	Dial	Fletcher	Harris

Harrison	McKinley	Ransdell	Stanfield
Heflin	McNary	Reed, Mo.	Stephens
Howell	Mayfield	Reed, Pa.	Sterling
Johnson, Calif.	Moses	Robinson	Swanson
Jones, N. Mex.	Oddie	Shipstead	Underwood
Jones, Wash.	Overman	Shortridge	Wadsworth
Kendrick	Owen	Simmons	Warren
Keyes	Pepper	Smith	Watson
Ladd	Phipps	Smoot	Weller
McKellar	Pittman	Spencer	Wheeler

NOT VOTING--14

Deneen	Glass	Lenroot	Shields
Edwards	Greene	McLean	Stanley
Elkins	Harreld	Means	
Fernald	La Follette	Neely	

So Mr. BORAH'S motion to suspend the rule was rejected.

Mr. GLASS. Mr. President, when my name was called, not noting the absence of the Senator with whom I am paired, I voted "nay." Lest that vote may be misinterpreted into an unwillingness on my part to have it distinctly understood what was my position on the question of raising the salaries, I want to say, so that the country in general and the people of Virginia in particular may know, that had I been present when the vote was taken on this question I should have voted in favor of the increase, and I regret that I was denied that privilege.

As a member of the Committee on Appropriations of the Senate, I voted to report favorably the proposed amendment. I stated there then, as I state now, without desiring to seem singular or different from any of my colleagues, that I thought the committee should go on record, and I think Congress should go on record, in order that there might be no criticism of the manner in which this thing was done. I rise now, certainly in no penitential mood and in no apologetic mood, to have it known that I was for the increase and voted "nay" on the roll call just now not because I objected to going on record but because, so far as the Congress is concerned, I consider the question determined and do not care to reopen it.

Mr. OWEN. Mr. President, I wish to say a word in regard to this matter. I should have been glad to have voted "yea" on the increase of salary amendment if I had had an opportunity. I do not regard it as an increase. I shall certainly not be a beneficiary of it, because I am leaving the Congress. It is not in reality an increase. The sum of $10,000 now will buy less than $7,500 would before the late war. It is not an increase at all and is thoroughly justified, because it is very difficult for a Senator to live within that salary and be comfortable in this city.

Mr. GLASS. Mr. President, I should like to add a postscript to what I said a moment ago and a very brief one.

While I have no fault to find with any Senator or with any newspaper who or which dissents from the manner of taking this action, from the failure of Congress to go on the record, I have not much respect for some of the reasons assigned why Congress should not have voted this increase, notably the reason that it would interfere with the program of economy which has been projected. In that relation I want to call the attention of the Senate and of the country to the fact that the Congress itself so far has reduced the budgetary estimates approved by the President by approximately $14,000,000; and soon will have reduced the budgetary estimates, approved by the President, in an amount sufficient to pay this salary increase for 15 years.

Mr. WARREN. Mr. President, I desire to offer another amendment to the bill, but first I wish to ask that the clerks be authorized to correct the totals of the bill in case changes are made necessary by reason of amendments.

The PRESIDENT pro tempore. Is there objection? The Chair hears none, and the clerks will be instructed to correct the totals of the bill.

Mr. WARREN. I now offer the amendment which I send to the desk.

The PRESIDENT pro tempore. The amendment will be stated.

The CHIEF CLERK. On page 14, after line 5, it is proposed to insert:

To carry out the provisions of the act entitled "An act to provide for the elimination of Lamond grade crossing in the District of Columbia and for the extension of Van Buren Street," approved ———, 1925, fiscal years 1925 and 1926, $59,000.

The PRESIDENT pro tempore. The question is on agreeing to the amendment.

The amendment was agreed to.

Mr. REED of Missouri. Mr. President, merely for the RECORD, I desire to state that from the first time I heard of a proposed increase in salaries mentioned I insisted that we ought to have a record vote. I did not insist on that because of a desire to put other Senators on record, but I wanted to be on record myself. Since another course was followed, which I do not at all criticize, I want to say now that I was in favor of the increase and that I think it was too small a raise.

The truth is that Washington is probably the most expensive city in the world in which to live, and that if we do not pay Senators and Representatives enough to live on in decency, it will not be long before the hard exigencies of life here will deprive the country of the service of large numbers of men the country ought to have. I want everybody who is interested to know that I voted for this raise.

Mr. KING. Mr. President, when this proposition was first mentioned it failed to command my assent. When the bill came to the Finance Committee, of which I am a member, after full discussion, I opposed reporting it favorably. If I had had an opportunity in the Senate to vote, I should have voted against the adoption of the amendment which increased the salaries of Senators and Representatives from $7,500 to $10,000 per annum.

Mr. STERLING. Mr. President, I offer the amendment which I send to the desk, to be inserted at the proper place in the bill.

The PRESIDENT pro tempore. The Senator from South Dakota offers an amendment, which will be stated.

The CHIEF CLERK. It is proposed to insert in the proper place the following amendment:

The sum of $15,345 is hereby appropriated, to be expended by the Secretary of the Interior in payment of the several amounts ascertained and determined by the Secretary of the Interior to be due in his report to the Congress, which report was made in conformity with the act of Congress dated June 7, 1924, Public, 211, Sixty-eighth Congress, entitled "An act authorizing the Secretary of the Interior to investigate and report to Congress the facts in regard to the claims of certain members of the Sioux Nation of Indians for damages occasioned by the destruction of their horses."

Mr. KING. If I may ask the Senator a question, I recollect an appropriation for this purpose being under consideration several years ago.

Mr. STERLING. No; it was not an appropriation, but it was a bill authorizing the Secretary of the Interior to make the investigation of the subject. It had already been in principle adjudicated by the Court of Claims in one case, and in accordance——

Mr. CURTIS. Is that the old Sioux claim?

Mr. STERLING. It is the old Sioux Indian pony claim.

Mr. CURTIS. I will make the point of order against the amendment.

Mr. STERLING. The amendment is not subject to a point of order. This amendment is offered in pursuance of law, in pursuance of an act of Congress.

The PRESIDENT pro tempore. What is the ground for the point of order made by the Senator from Kansas?

Mr. CURTIS. I desire that the amendment shall be reread; but undoubtedly it is a claim.

The PRESIDENT pro tempore. The amendment will be again read.

The amendment was again stated.

Mr. CURTIS. Mr. President, the amendment proposes legislation. The only authorization was to investigate and report. The amendment provided for a claim which has not been estimated for by the Budget Bureau. I raise the point of order against the amendment.

Mr. STERLING. Mr. President, I wish to read a portion of Rule XVI in reference to this matter. I do not think the point of order is well taken. Rule XVI reads:

* * * No amendments shall be received to any general appropriation bill the effect of which will be to increase an appropriation already contained in the bill, or to add a new item of appropriation, unless it be made to carry out the provisions of some existing law, or treaty stipulation, or act, or resolution previously passed by the Senate during that session—

And so forth.

Mr. President, in this instance there is a law under which an investigation by the Secretary of the Interior was made, and I have here a report of the result of the investigation by the Secretary of the Interior recommending an appropriation for this very purpose.

Mr. CURTIS. Mr. President, I desire to call the attention of the Presiding Officer to paragraph 4 of Rule XVI, on page 21, reading as follows:

No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law or a treaty stipulation, which shall be cited on the face of the amendment.

On the face of the amendment all that was authorized was an investigation and report. The report is merely as to a claim; there is no provision for the payment of the claim. It is merely reported to Congress as a finding of the Court of Claims would be reported on a question of fact. That is all there is to it.

Mr. STERLING. Mr. President, under the paragraph referred to by the Senator from Kansas I say that this amendment falls within the exceptions in that paragraph:

> No amendment, the object of which is to provide for a private claim, shall be received to any general appropriation bill, unless it be to carry out the provisions of an existing law.

It is the contention——

The PRESIDENT pro tempore. The Chair, following the precedent more than once established, sustains the point of order.

Mr. COPELAND. Mr. President, may I invite the attention of the chairman of the committee to page 51?

IRRIGATION OF LANDS IN NEBRASKA

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

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

Mr. COPELAND. I yield.

Mr. KING. Mr. President, I desire to enter a motion to reconsider the votes by which on last evening the bill (S. 4057) providing for the irrigation of certain lands in the State of Nebraska was read the third time and passed.

The PRESIDENT pro tempore. The motion to reconsider the vote by which Senate bill 4057 was read the third time and passed last night will be entered.

Mr. KING. I now move that the House be requested to return the bill to the Senate.

The motion was agreed to.

SETTLEMENT ON GOVERNMENT LAND IN IRRIGATION PROJECTS

Mr. SMOOT. Mr. President, will the Senator from New York yield to me for a moment?

Mr. COPELAND. I yield.

Mr. SMOOT. I am compelled to leave the Chamber for a committee meeting in a very few moments, and I desire to make a motion in regard to a bill which was passed last night. I move that the votes by which the bill (S. 4151) to provide for aided and directed settlement on Government land in irrigation projects was read the third time and passed last night be reconsidered, and that the House be requested to return the bill to the Senate.

I will say to the Senate that the Senator from Wyoming [Mr. KENDRICK], who introduced the bill, has consented that this action be taken.

Mr. McNARY. I was about to ask if that was the bill which was passed last night under the circumstances mentioned to me by the Senator from Utah?

Mr. SMOOT. That is the bill, I will say to the Senator.

Mr. MOSES. What is the request of the Senator from Utah?

Mr. SMOOT. I move that the votes by which the bill was read the third time and passed be reconsidered, and that the House be requested to return the bill to the Senate.

Mr. MOSES. The result of which will be to restore the bill to the Senate calendar?

Mr. SMOOT. That will be the result.

Mr. SWANSON. The Senator from Wyoming [Mr. KENDRICK] was interested in that bill.

Mr. SMOOT. I will say to the Senator that the Senator from Wyoming has agreed to this action.

Mr. SWANSON. He has no objection?

Mr. SMOOT. None whatever.

The PRESIDENT pro tempore. The Senator from Utah enters a motion to reconsider the vote by which Senate bill 4151 was passed, and he moves that the House be requested to return the bill to the Senate. Without objection, that request will be made of the House of Representatives, and the motion to reconsider will be entered.

VETERANS' HOSPITAL AT MUSKOGEE, OKLA.

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the joint resolution (S. J. Res. 189) authorizing the enlargement of the Federal veterans' hospital at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of $150,000 for that purpose, which was, on page 2, line 8, after the word "Muskogee," to insert "*Provided*, That this money shall be taken out of any lump sum heretofore or hereafter appropriated for hospital purposes."

Mr. HARRELD. Mr. President, I move that the Senate concur in the House amendment.

The PRESIDENT pro tempore. Is there objection?

Mr. REED of Pennsylvania. Mr. President, I ask that that go over until to-morrow.

Mr. HARRELD. It is a very simple modification.

Mr. REED of Pennsylvania. I understand that; but it proposes to take money out of a definite appropriation heretofore made for particular Veterans' Bureau hospitals, and we ought to secure information from the Veterans' Bureau concerning the matter before we agree to the amendment.

The PRESIDENT pro tempore. Objection is made.

SECOND DEFICIENCY APPROPRIATIONS

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 12392) making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1925, and prior fiscal years, to provide supplemental appropriations for the fiscal years ending June 30, 1925, and June 30, 1926, and for other purposes.

Mr. COPELAND. Mr. President, if I may proceed——

Mr. WALSH of Massachusetts. Mr. President——

Mr. FLETCHER. I call for the regular order.

The PRESIDENT pro tempore. The Senate must be in order or the Chair will not entertain any motion. Senators will please take their seats.

Mr. COPELAND. Mr. President——

The PRESIDENT pro tempore. The Senator from New York is recognized.

Mr. COPELAND. I want to ask the chairman of the committee about the item of $9,000,000 for modernizing battleships. I understand that $1,000,000 of this is available prior to July 1. I just wish to inquire whether or not that money is available for modernizing the *Arkansas*. I assume that it is.

Mr. WARREN. I will tell the Senator as far as I know. This is a naval matter that comes up in connection with this bill.

Admiral Robison says:

> The ships will be one each of the three pairs. The *Florida* and the *Utah* are identical; the *Arkansas* and the *Wyoming* are also sister ships, and the *Texas* and the *New York* are alike.

Mr. COPELAND. Mr. President, the *Arkansas* will be in New York Harbor early in April. She will be there about seven weeks, and if this money is made immediately available for the repair of the *Arkansas*, she will be ready for the midshipmen's cruise; and I should like to have it understood that the million dollars made available by this portion of the bill will include the *Arkansas*.

Mr. WARREN. I understand that it does cover the inquiry of the Senator.

Mr. COPELAND. I thank the Senator.

Mr. JONES of New Mexico. Mr. President, I should like to make a short statement regarding the amendment which has just been introduced, offered by the Senator from Florida [Mr. FLETCHER]. I am not at all sure that I need propose any further amendment, but it certainly can do no harm to do so.

In 1913 Congress made an appropriation of $125,000 for the purpose of building a courthouse and post office at Las Vegas, N. Mex. That is my home town. Owing to various delays, with which we are all familiar, the building was not constructed. About two or three years ago, owing to the necessity for a post office in Las Vegas, I introduced a bill to provide that the building should be constructed for the purpose of a post office only. The situation was so urgent that we were willing at that time to have a building constructed for the purpose of a post office only. We have two post offices in that community. One is East Las Vegas, and the other is Las Vegas, and there is very much confusion in the mails. It is difficult to know where to address letters, and there is much confusion in passing from one to the other; and, besides, the accommodations provided for those two post offices are very meager indeed. They do not at all meet the convenience and the necessities of the community.

As I said, there was appropriated $125,000 for the purpose of constructing this building, the courthouse and the post office, and the purchase of a site. The site was purchased for $9,000, which left $116,000 available for the purpose of constructing this building. After the war the Treasury Department estimated that it would require $80,000 aditional to construct the building as directed by the legislation authorizing any building at all. At that time I tried to get authority to construct a post-office building only, but the Congress declined to pass the bill. Since that time the Congress has passed a bill providing for the holding of court in Las Vegas, and so now the courthouse is needed. The legislation authorizes the

building for both purposes, and the Treasury Department has ruled that under the legislation it can not construct a building for one purpose and not the other; that if constructed at all it must be for both.

In this document, in response to a resolution offered by the Senator from Florida, the Treasury Department, in giving a list of these towns where the buildings were to be constructed and additional sums were required, stated, in regard to East Las Vegas, "For post office only, none"; but that would not comply with the law which requires a courthouse and post office. That is why, in the list which we have in this Document No. 28 which we have here, it specifies that nothing additional is required. It is stated there that "For post office only," nothing is required; but when that appeared I called upon the Treasury Department to make a statement as to what would be required if such a building were constructed as the law directed it to be constructed, and they wrote me that an additional $80,000 would be necessary, and that letter I filed with the Committee on Appropriations.

Just this afternoon I called up a representative of the Treasury Department who is familiar with these building matters, and asked him whether or not the $7,900,000 appropriated here did include an amount sufficient to build this building at Las Vegas. He said he thought that that amount was made up from the list of deficiencies which had been previously considered; and of course no one wants to make an exception of this Las Vegas building. In order that we may be sure of the matter, I think the appropriation should be increased by this amount. It is still left with the Treasury Department only to expend such amount as is necessary; and, Mr. President, I move that the figures "$7,900,000" at the end of the Fletcher amendment be changed to read $7,980,000."

The PRESIDENT pro tempore. The Secretary will state the amendment offered by the Senator from New Mexico.

The CHIEF CLERK. At the end of the amendment offered by the Senator from Florida it is proposed to strike out "$7,900,000" and to insert in lieu thereof "$7,980,000."

Mr. KING. Mr. President, will the Senator pardon me? I apologize for having been diverted. Does this amendment relate to a post office?

Mr. JONES of New Mexico. It relates to a public building coming within the provisions of the Fletcher amendment.

Mr. KING. It is not a hospital?

Mr. JONES of New Mexico. Oh, no; it is a courthouse and post office.

Mr. KING. I have no objection.

The PRESIDENT pro tempore. The question is on agreeing to the amendment offered by the Senator from New Mexico.

The amendment was agreed to.

The bill was reported to the Senate as amended, and the amendments were concurred in.

The amendments were ordered to be engrossed, and the bill to be read a third time.

The bill was read the third time and passed.

FINES, PENALTIES, ETC., IN POSTAL SERVICE

Mr. STERLING. Mr. President, I send to the desk a while ago the report of the Committee on Post Offices and Post Roads on Senate bill 4232, I ask unanimous consent for the immediate consideration of the bill.

Mr. ASHURST. Mr. President, I have not had a chance to examine that bill yet. Will the Senator wait a little while, say half an hour or an hour? I promise the Senator that within an hour I will examine it.

Mr. STERLING. I can state——

The PRESIDENT pro tempore. Objection is made.

THE PRICE OF GASOLINE

Mr. TRAMMELL. Mr. President, this afternoon, in response to a resolution adopted by the Senate on day before yesterday, the President transmitted to the Senate the report of the Federal Trade Commission, made to the President, relative to the investigation made by the commission into the price of gasoline, petroleum, crude oil, etc., in 1924. I desire to have the letter of transmittal to the President from the Trade Commission printed in the RECORD, with the letter of transmittal from the President. It contains 17 pages of typewriting only; and I request that it be printed in the RECORD with the letter of transmittal from the President.

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

The matter referred to is as follows:

To the Senate:

In response to the resolution of the Senate of February 26, 1925, requesting the President "if not incompatible with the public interest, to forthwith transmit to the Senate a copy of the report of the Federal Trade Commission on its investigation in 1923 and 1924 of the price of crude oil, gasoline, and other petroleum product and other data pertaining to the operations of the oil companies and refineries," I transmit herewith a report of the Federal Trade Commission on the increase in gasoline prices for 1924, together with the letter of submittal of said report from Hon. Huston Thompson, then chairman of the commission, under date of June 4, 1924.

CALVIN COOLIDGE.

THE WHITE HOUSE, *February 28, 1925.*

LETTER OF SUBMITTAL OF REPORT OF THE FEDERAL TRADE COMMISSION ON THE INCREASE IN GASOLINE PRICES IN 1924

FEDERAL TRADE COMMISSION,
OFFICE OF THE CHAIRMAN,
Washington, June 4, 1924.

To the PRESIDENT.

SIR: Submitted herewith is a report on the increase in gasoline prices in 1924.

This report is made in response to your letter of February 7, 1924, inclosing a telegram of the previous day from Gov. W. H. McMaster, of South Dakota, and directing that the commission make immediate inquiry into conditions in the petroleum industry described by the governor. The conditions, as described in this telegram, were (1) the accumulation of large stocks of crude petroleum at very low prices by the Standard Oil interests during the last half of 1923; (2) a "corner" of the crude petroleum market by these interests in January, 1924; (3) an increase in gasoline prices from January 15 to February 6, 1924, as a result of this "corner," without regard to then existing conditions of supply and demand, and (4) excessive profit taking in the sale of gasoline.

PRICE FIXING AND PRICE MAINTENANCE

The important developments of the investigation with reference to price fixing and price maintenance, which relate chiefly to the operations of certain gasoline distributers, are presented in the report. This consists in part of letters and telegrams passing between the agents and representatives of the following companies and associations: The Pure Oil Co., Sinclair Refining Co., Mutual Oil Co., Cities Service Oil Co., Producers & Refiners Corporation, Continental Oil Co., Empire Refiners (Inc.), National Petroleum Marketers' Association, and various local and State jobbers and dealers associations, together with memoranda and letters describing conferences on prices and price situations between certain local agents of the Standard Oil Co. (Indiana) and representatives of various independent companies and marketers' associations.

These data show (1) that in the great region in which the Standard Oil Co. (Indiana) operates, independent marketers recognize the Standard Oil Co. as the leader in price movements; (2) that these independents endeavor to keep themselves informed as to Standard price changes in order to remain in line with them; (3) that through exchange of information and informal conferences with local representatives of the Standard Oil Co. (Indiana) the independent marketing companies attempt to maintain uniform prices; (4) that independent marketers, working through their various associations, endeavor to prevent price cutting; (5) that the price levels sought to be maintained are those established by the Standard Oil Co. (Indiana); and (6) that independent marketers generally recognize the futility of trying to sell at prices other than those established by the Standard Oil Co. (Indiana).

It is possible that other evidence in this connection might have been found had not some very active and important companies failed to cooperate with the commission, refusing its agents access to their files for the purpose of examining and copying any documentry evidence, such as letters, telegrams, and memoranda, relating to price agreements with competing companies. The commission had already discovered evidence of such practices in the files of other companies. The companies manufacturing and marketing petroleum products which refused to cooperate with the commission in this respect were the Texas Co., White Eagle Oil & Refining Co., Shaffer Oil & Refining Co., Derby Oil & Refining Co., Sterling Oil & Refining Co., Indiahoma Refining Co., and Winters Oil Co. The Nebraska Independent Oil Men's Association, which is composed primarily of marketers of petroleum products, also refused agents of the commission access to its files. The value of the present report in this particular respect, therefore, is very much limited because of the attitude assumed by these concerns. With respect to the statistical and financial data, such as information regarding production, prices, and profits, however, full cooperation was given by the industry, including the Texas Co. and other companies refusing access to their correspondence files.

The act creating the commission, among other things, vests it with power, "upon the direction of the President or either House of Congress, to investigate and report the facts relating to any alleged violation of the antitrust acts by any corporation," and further provides that for such purposes "the commission, or its duly authorized agent or agents, shall at all reasonable times have access to, for the purpose of examination, and the right to copy any documentary evidence of any

corporation being investigated or proceeded against." The refusal of the foregoing concerns to allow the commission access to their files was based upon what they claim to be their rights as set forth in the recent decision (March 17, 1924) of the Supreme Court in Federal Trade Commission v. American Tobacco Co. et al., involving a similar situation which arose during an investigation by the commission pursuant to a Senate resolution.

PRICES

During the early months of 1923, before it became apparent that the crude petroleum production of 1922 would be exceeded in 1923, prices of Mid-Continent crude and of gasoline at wholesale (tank wagon) in the Middle Western States increased sharply in response, apparently, to anticipated increases in the consumption demand for gasoline. As crude production continued to increase, crude prices declined somewhat, but wholesale prices of gasoline in that section of the country failed to decline from the high level reached in February, and crude prices, after the reductions in the spring, remained stationary. The fact that tank-wagon prices of gasoline were maintained, in spite of the decline in crude prices, resulted in a wider margin between the tank-wagon price and the open market, refinery price in the mid-continent field, which had declined to a marked degree. Gasoline marketers buying from refineries at the current quotation profited from this situation at the expense of gasoline marketers buying on the basis of long-term contracts at a fixed discount from the Standard's tank-wagon price. The condition was one which would naturally lead to general competitive price reductions by independent wholesalers of gasoline, but the general tank-wagon price was maintained at its high level until August.

Early in August, 1923, however, there came a senational break, beginning with the action of Governor McMaster of South Dakota on August 7, authorizing the State Highway Commission to sell gasoline to the public at Mitchell at 16 cents a gallon, which represented a reduction of 10.6 cents. The Standard Oil Co. (Indiana), which is the dominant marketing organization in the Middle West, promptly met this cut, and announced a 6.6 cents reduction in its price in the rest of its territory. At about the same time there were similar declines by other Standard companies in adjacent western States, while in the more eastern States where several price cuts had been made in the spring and early summer further price reductions were made.

In spite of these sharp declines in gasoline prices, the posted prices of crude in the mid-continent field remained until September at the level reached in May, 1923. In September, however, as crude production continued to increase, crude prices were reduced, and further price declines in both crude and gasoline were made until a low level was reached in the latter part of November. In the last week of November the domestic production of crude passed its peak and began gradually to fall off, and shortly thereafter prices of crude and of gasoline were increased again. By February 6, 1924, the date of Governor McMaster's telegram, the price of crude was nearly as high, and the price of gasoline about the same, as at the beginning of 1923.

SUPPLY AND DEMAND

During 1923 there were very large increases in production and stocks of crude petroleum and gasoline as a result of a rapid and apparently unexpected increase in the crude petroleum output from new oil pools which had been developed in California in 1922, augmented by extensive new production in other pools in Texas, Oklahoma, and Arkansas. Domestic production of crude petroleum increased from 557,531,000 barrels in 1922 to 725,702,000 barrels in 1923, while gasoline production increased from 6,202,234,000 gallons to 7,555,945,000 gallons in the same period. The peak in this period of excessive supply was reached in November, 1923, when the average daily production of crude petroleum in the United States attained a maximum of 2,161,000 barrels. Stocks of crude petroleum increased from 298,426,000 barrels on December 31, 1922, to 382,409,000 barrels on December 31, 1923, and refinery stocks of gasoline, in the same interval, increased from 883,793,000 gallons to 1,074,900,000 gallons. During December, 1923, and January, 1924, when the gasoline price increases complained of occurred, the production of crude petroleum, although still very large, was declining, while gasoline production continued to increase.

SUPPLY CONTROLLED BY STANDARD COMPANIES

Data secured by the commission indicate that, although the crude petroleum and gasoline production and stocks of the so-called Standard group of companies were very large in 1923 and were increasing throughout the year, the proportion of total domestic supply represented by the production and stocks of this group did not increase. For the year 1923 (excluding royalty or contract oil amounting to 5 per cent) the production of crude petroleum by the Standard group was 14.4 per cent of total domestic production, as compared with a proportion of 17.1 per cent in 1922, while the group's proportion of total domestic gasoline output was equal to 48.1 per cent in 1923, as against 49.8 per cent in 1922. Stocks of crude petroleum held by the group on December 31, 1923, amounted to 42.7 per cent of total domestic stocks as compared with 47.8 per cent on December 31, 1922, while the group's stocks of gasoline on December 31, 1923, represented 66.8 per cent of total stocks as against 72.9 per cent on December 31, 1922. While, therefore, there were no disproportionate accumulations of crude petroleum or gasoline supply by the Standard group during 1923, such as might have constituted for it a "corner" of the market, the proportions of total supply controlled, however, were sufficiently large, even without increases, to give its members a very substantial influence over market conditions throughout the period.

PRICE RESPONSIBILITIES OF STANDARD COMPANIES

The Standard companies engaged in the sale of gasoline and kerosene to retail dealers and consumers, which were left undisturbed by the dissolution decree (United States v. Standard Oil Co. of New Jersey, 173 Fed. Rep. 197) in their several regions of operation, with comparatively unimportant exceptions, have not invaded each other's territory. They have denied any understandings in this respect and have explained their policy on the basis of its obvious business advantages. The fact remains, however, that they generally refrain from competition in observing these arbitrary boundaries.

Two companies of the Standard group—the Prairie Oil & Gas Co. and the Standard Oil Co. (Indiana)—in a substantial degree dominate the prices of crude oil and gasoline, respectively, in the mid-continent area, where nearly one-half of the domestic crude is produced and about one-third of the domestic gasoline consumed. The fact that prices of both crude and gasoline were maintained throughout a large part of this area at a high level in the summer of 1923, without regard to the increasing oversupply, and that prices were advanced early in 1924 in spite of the fact that gasoline production was still increasing and crude production had declined only very slightly, imposes upon these two companies, therefore, a large measure of responsibility in this instance. This responsibility results from the substantially dominating price influence which these companies generally exercise and not from any disproportionate accumulation of existing supply in 1923.

A similar degree of control is exercised by the Standard companies on the Atlantic seaboard and on the Pacific coast, but in certain Southwestern States, owing to the presence of more powerful "independent" competition, the influence of the Standard marketing organizations is not so potent.

PROFITS

Data on investment and earnings obtained by the commission from 59 companies, including 17 Standard companies, indicate an average rate of profit on company investment of 10.3 per cent in 1922, 11.6 per cent a year in the first half of 1923, 1.9 per cent in the last half of 1923, and 6.8 per cent for the entire year 1923. Earnings of the Standard companies were generally larger than those of the independent companies, averaging 12.2 per cent per year in the first half of 1923, 3.2 per cent in the last half, and 7.7 per cent for the year 1923. Data of a fragmentary nature obtained for the first quarter of 1924 show that there were very substantial improvements in the earnings of both Standard and independent companies in this quarter and indicate that the comparatively low rates of return or losses reported for the last half of 1923 were due mainly to the writing off of inventories at low market prices prevailing at the end of the year and were, to this extent, paper losses only, since prices of both crude and gasoline rose sharply after December, 1923.

EFFECT OF DISSOLUTION ON THE STANDARD GROUP

Data on the organization of the companies obtained by schedule show that the identity of stockholding interests which resulted from the manner in which the original Standard Oil Co. (New Jersey) was dissolved in 1911 has in large measure disappeared, although important proportions of the stock of several of the companies are held by John D. Rockefeller, jr., the Rockefeller Foundation, and the General Education Board, another Rockefeller institution. There are indications that the Standard companies now generally operate less consistently as a group, and have in some cases developed to a very limited extent opposing interests, but the most important members of the group, such as the Standard Oil Co. (New Jersey), Standard Oil Co. (Indiana), Standard Oil Co. (California), and Standard Oil Co. (Kentucky), are severally fortifying themselves, by acquiring control of independents, and by entering new branches of the industry, as integrated and dominant units in the several territories in which they operate. The chief present obstacle to the reestablishment of effective competition in the petroleum industry is evident in this dominating influence of individual members of the original group operating in distinct regions of the country. One of the principal bases of their dominating influence is found in their control of pipe lines, and in their denial to the small independent company of a practicable opportunity to ship oil under reasonable conditions.

GOVERNOR M'MASTER'S CHARGES

In his telegram of February 6, 1924, Governor McMaster charged that there was "excess profiteering" in the sale of gasoline, particularly in the early summer of 1923 and during the first six weeks of 1924. Data on investment and earnings for 59 companies (including

17 members of the Standard group), with a total investment in 1923 of almost $3,200,000,000, show an average rate of profit of 10.3 per cent for 1922, a profit of 11.6 per cent for the first half and of 1.9 per cent for the last half of 1923, and 6.8 per cent for the entire year of 1923. During 1923 the 17 Standard companies averaged 12.2 per cent for the first half, 3.2 per cent for the last half, and 7.7 per cent for the entire year. Statements and estimates of net profit from operations for the first three months of 1924 show a very substantial increase in earnings, resulting partly from the increase in prices and partly from the wiping out of inventory losses, which caused in large part the lower returns in the last half of 1923.

The governor also charged that the so-called Standard Oil companies accumulated large supplies of crude petroleum at very low prices during the last half of 1923, and brought about a "corner" of the crude supply in January, 1924. No evidence was found of disproportionate accumulations of crude during this period either by the so-called Standard companies or by large independents as a group, although certain companies did increase their individual proportions of the total stocks. Data obtained by the commission show that, while the Standard group increased its production, consumption, and storage of crude petroleum, its proportions of the totals actually decreased during 1923.

Finally, it was alleged that the sharp increase in the refinery prices of gasoline during the early part of 1924 was brought about by Standard interests as the result of the acquisition of a "corner" of the crude petroleum market and without regard to existing conditions of supply and demand. Information secured by the commission indicates the exercise of a very decided price leadership on the part of the Standard Oil Co. (Indiana), the Prairie Oil & Gas Co., and other Standard companies during 1923 and 1924, which was responsible for the failure of both crude and gasoline prices to respond to the conditions of excess supply prevailing in the mid-continent field in the summer of 1923. This price leadership was also responsible for the advance in gasoline prices in December, 1923, and in January and February, 1924, which was effected in spite of a continued increase in gasoline stocks during those months. The commission did not discover evidence of illegal cooperation between the several Standard companies, but their unity of interest, purpose, and action, is apparent.

RECOMMENDATIONS

The following recommendations are made, most of them being substantially repetitions of those submitted in connection with previous inquiries:

(1) Application of the principle of the so-called "commodities clause" to pipe lines, as well as railroads, so as to prevent a pipe-line company from being connected directly or indirectly, by holding company or otherwise, with a company which ships oil over its pipe line.

(2) Lower pipe-line transportation rates and the reduction of minimum shipment requirements from the prevailing rule of 100,000 barrels per shipment to a basis which will be reasonable for the small shipper.

(3) Prohibition, by Federal legislation, of common-stock ownership or control in corporations which have been members of a combination dissolved under the Sherman law.

(4) Examination by the Department of Justice, in connection with its current inquiry into the results of the Standard Oil dissolution decree, of the present organization and activities of the large integrated members of the Standard Oil group.

(5) Consideration by Congress of the advisability of some restriction upon the exportation of crude petroleum and its products, in view of the rapid depletion of the petroleum resources of the country essential to national defense.

(6) Study of existing wasteful methods of drilling for oil, with a view to ascertaining what remedies may be possible, through State legislation or otherwise, and study of more economical methods of utilizing petroleum products and the availability of substitutes.

(7) Legislation for collecting and reporting currently facts regarding industrial and commercial conditions by a Federal agency possessing adequate powers for obtaining and verifying reports.

(8) The establishment of consumers' cooperative gasoline supply organizations in order to save, if possible, a part of the wide margins now frequently prevailing between independent refinery prices and service-station prices, and thereby also to encourage the competition of the independent refiner, who is often unable to develop an extensive distributing organization.

By direction of the commission.

HUSTON THOMPSON, *Chairman.*

RIVER AND HARBOR BILL

Mr. JONES of Washington. Mr. President, I ask that the Senate resume the consideration of the river and harbor bill.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDENT pro tempore. The pending amendment is that proposed by the Senator from Idaho [Mr. GOODING] to the amendment submitted by the Senator from Maine [Mr. FERNALD].

Mr. JONES of Washington. Mr. President, as a general rule I am in favor of disposing of amendments and bills on their merits in the regular way, after discussion. The situation confronting us now, however, is a very exceptional one, and one that I think justifies action.

The Congress will end on next Wednesday. This bill has a great many amendments to it. It will have to go to conference, and if it is to be enacted into law it seems to me that it will have to be acted upon to-day at some time.

The measures that are proposed here as amendments are measures that do not properly belong to a bill of this character; but under the rules of the Senate any legislation is in order. We have no rules that would exclude legislative matters from consideration in connection with the bill. The banking bill, which is now the unfinished business, could be offered as an amendment to this measure with just as much justice as the amendments that are now pending. Then the Cramton bill, which many of us are very strongly in favor of, could with justice be offered as an amendment to this bill and no point of order could be made against it.

I feel that we have reached the point where, if amendments are not disposed of promptly, we will have no river and harbor bill. I have been entrusted by the committee with the responsibility of carrying this bill through. I want to discharge my duty as fully as possible. There are measures and proposals that I favor that I should like to see enacted into law but I do not feel that I am justified in trying to put those measures on this bill in order to secure their passage, at least under the present condition of things. I feel that if these amendments are insisted upon, and their consideration continued, as it will be, indefinitely, unless other action is taken, we will have no legislation. Neither of these will be passed, nor will the river and harbor bill be passed, and so no one will have accomplished anything. I should like to see something done; and I feel that under the action of my committee I should take whatever proper steps can be taken to secure the enactment of this bill.

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

Mr. JONES of Washington. I yield.

Mr. FERNALD. I anticipate the motion about to be made by the chairman of the committee, which, of course, would not be debatable. I feel, as one interested in one of these amendments, that we ought to have about the same treatment that is usually accorded in these matters, and before the Senator makes his motion I am going to ask him if he will not try to get some understanding whereby we might have a unanimous-consent agreement to vote on this bill and on the amendments. Any time that he may suggest will be entirely satisfactory to me; but I do not feel that we ought to be accorded quite the treatment involved in the making of a motion to lay this matter on the table. I ask the Senator, in all fairness, if he will not try to get some agreement. I do not think any arrangement has been sought whereby we might come to a unanimous-consent agreement, and I ask him if he is not willing to make that trial.

Mr. JONES of Washington. Negotiations have been going on now for two or three hours in an effort to accomplish that result, and we have not been able to do that. So, under the circumstances, I feel that the condition is entirely different from what ordinarily confronts us when a motion such as I expect to make is made. I want to say frankly——

Mr. GOODING. Mr. President——

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

Mr. JONES of Washington. I yield.

Mr. GOODING. I merely want to say that I am rather astonished at the statements the Senator from Washington makes, that the banking bill and other bills he has mentioned would be just as appropriate as amendments on this bill as the Cape Cod Canal bill, which is purely a water bill——

Mr. JONES of Washington. I meant from the standpoint of points of order. That is what I was referring to.

Mr. GOODING. I would not have gathered that from the way the Senator stated it.

Mr. JONES of Washington. That is the way I intended to.

Mr. GOODING. My bill is entirely——

Mr. JONES of Washington. I hope the Senator does not think I thought the banking bill dealt with navigation.

Mr. GOODING. From the statement made by the Senator, that it had just as much place on the bill——

Mr. JONES of Washington. I think it has.

Mr. GOODING. As a cold-blooded proposition, the Senator may be correct.

Mr. JONES of Washington. That is what I mean—under the parliamentary situation.

Mr. GOODING. The Senator did not put it that way.

Mr. JONES of Washington. I did not know we had to talk by the square here in regard to matters of this kind, where all Senators certainly understand what is intended.

Mr. FERNALD. Mr. President, will the Senator yield to me for another question?

Mr. JONES of Washington. I will.

Mr. FERNALD. I know the Senator has been exceedingly fair, personally, in this matter and tried to bring this matter to some conclusion in the Senate, but as a matter of real fact, I am the only Senator who has spoken for this measure on this side of the Chamber. I know that both the Senators from Massachusetts would like to have an opportunity to express themselves, and several other Senators are desirous of saying something in regard to this amendment. Even my friend, the Senator from Nebraska, who has disagreed with me on this matter, has had no opportunity to express himself, and I believe in a spirit of fairness he should at least have an opportunity. I beg the Senator to try once more to see if we can not come to some understanding whereby we can take a vote on these measures.

If the Senator will permit, while I personally am ready to vote at this time, I feel that after a week's hard work here in the Senate, to bring this matter up on Saturday night and try to settle it, when many Senators are absent, and only one Senator has had an opportunity to express himself, is hardly fair. We might come to some agreement whereby on Monday at an early hour we could vote.

Mr. WALSH of Massachusetts. May I suggest to the Senator that he submit a unanimous-consent request that we take a vote at a certain hour on Monday?

Mr. FERNALD. I will.

Mr. WALSH of Massachusetts. Before the Senator from Washington makes his motion.

Mr. FERNALD. I ask that we may have a unanimous-consent agreement whereby we will vote on Monday at any hour that may be convenient to the Senator.

Mr. WALSH of Massachusetts. Suggest 3 o'clock.

Mr. FERNALD. I would suggest 2 or 3 o'clock.

Mr. McKELLAR. Mr. President, there is a good deal of confusion in the Chamber. As I understand it, the Senator from Maine is making a request for unanimous consent, and I hope the Senate will listen to what he has to say.

Mr. FERNALD. It seems to me that in a spirit of fairness, as between men and brethren here, we should at least go on with this matter with some regard for senatorial courtesy.

Mr. HARRISON. Let us have order.

The PRESIDENT pro tempore. The Senator from Maine will suspend until the Senate is in order.

Mr. FERNALD. I am sorry to disturb the conversations in the Senate. I request that on Monday at 2 o'clock we vote on the bill and any amendments that may be offered. I hope that request may be granted.

Mr. WALSH of Massachusetts. I hope the Senator's request will be granted.

Mr. SIMMONS. Mr. President, I hope the Senator's request will not be granted, because I am quite sure that if we do not vote upon this bill before 2 o'clock Monday, the bill, even if it passes the Senate then, will never become a law for that will be too late.

Mr. FERNALD. Let us fix an earlier hour.

Mr. SIMMONS. We have been in session ever since 11 o'clock this morning. If the hour is fixed at some time to-night—11 or 12 o'clock—I have no objection, but I think we ought to act on this bill before we adjourn or take a recess to-night.

Mr. McKELLAR. Mr. President, I ask unanimous consent that at 8 o'clock to-night we vote on the bill and all amendments that may be offered thereto.

Mr. KING. I object.

The PRESIDENT pro tempore. Objection is made.

Mr. JONES of Washington. Mr. President, I am going to make a motion. The Senate can take whatever action it sees fit, and I will find no fault with what is done. I am trying to handle this bill in accordance with the responsibility placed on me by the committee. So I am going to make a motion. If it is voted down, I want to say frankly—and I do not say this as a threat or anything of the kind, but as I view the situation, and if I am wrong, events will determine—if these amendments are not disposed of now, in my judgment we might just as well place this bill aside and go on with something else. I want the Senate to understand that phase of the situation as they vote upon this motion.

Mr. President, I am going to move to lay upon the table the amendment offered by the Senator from Idaho [Mr. GOODING], and then I am going to follow that with a motion to lay on the table the amendment offered by the Senator from Maine [Mr. FERNALD].

Mr. KING. May I interrupt the Senator for a moment?

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

The PRESIDENT pro tempore. The motion is not debatable.

Mr. JONES of Washington. I now move that the amendment of the Senator from Idaho be laid on the table, and I suggest the absence of a quorum.

Mr. FERNALD. I withdraw my request until the Senator can get his motion before the Senate.

Mr. JONES of Washington. I made the motion, and now I suggest the absence of a quorum.

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Fernald	Keyes	Sheppard
Ball	Ferris	King	Shipstead
Bayard	Fess	Ladd	Shortridge
Bingham	Fletcher	McKellar	Simmons
Borah	Frazier	McKinley	Smith
Brookhart	George	McNary	Smoot
Broussard	Gerry	Mayfield	Spencer
Bruce	Glass	Metcalf	Stephens
Bursum	Gooding	Moses	Sterling
Butler	Hale	Norris	Swanson
Cameron	Harreld	Oddie	Trammell
Capper	Harris	Overman	Underwood
Caraway	Harrison	Pepper	Wadsworth
Copeland	Heflin	Phipps	Walsh, Mass.
Couzens	Howell	Pittman	Weller
Cummins	Johnson, Calif.	Ralston	Wheeler
Curtis	Johnson, Minn.	Ransdell	Willis
Dial	Jones, N. Mex.	Reed, Mo.	
Dill	Jones, Wash.	Reed, Pa.	
Ernst	Kendrick	Robinson	

The PRESIDENT pro tempore. Seventy-seven Senators have answered to the roll call. There is a quorum present.

The question is on the motion of the Senator from Washington [Mr. JONES] to lay upon the table the amendment offered by the Senator from Idaho [Mr. GOODING] to the amendment offered by the Senator from Maine [Mr. FERNALD].

Mr. JONES of Washington. I ask for the yeas and nays.

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

Mr. GLASS (when his name was called). I transfer my general pair with the senior Senator from Connecticut [Mr. McLEAN] to the Senator from New Jersey [Mr. EDWARDS] and vote "yea."

Mr. McKINLEY (when his name was called). I have a pair with the Senator from West Virginia [Mr. NEELY] and in his absence I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. In his absence I withhold my vote.

The roll call was concluded.

Mr. ERNST. I have a general pair with the senior Senator from Kentucky [Mr. STANLEY]. I do not know how he would vote and therefore I refrain from voting. If permitted to vote I would vote "nay."

Mr. McKELLAR. The junior Senator from West Virginia [Mr. NEELY] is necessarily absent. He is paired with the Senator from Illinois [Mr. McKINLEY].

The result was announced—yeas 40, nays 37, as follows:

YEAS—40

Ball	Fess	Keyes	Shipstead
Bayard	Fletcher	McKellar	Shortridge
Bingham	George	McNary	Simmons
Broussard	Gerry	Mayfield	Smith
Bruce	Glass	Metcalf	Spencer
Caraway	Hale	Moses	Swanson
Couzens	Harris	Ralston	Trammell
Dial	Heflin	Ransdell	Underwood
Edge	Howell	Robinson	Weller
Ferris	Jones, Wash.	Sheppard	Willis

NAYS—37

Ashurst	Dill	King	Smoot
Borah	Fernald	Ladd	Stephens
Brookhart	Frazier	Norbeck	Sterling
Bursum	Gooding	Norris	Wadsworth
Butler	Harreld	Oddie	Walsh, Mass.
Cameron	Harrison	Pepper	Watson
Capper	Johnson, Calif.	Phipps	Wheeler
Copeland	Johnson, Minn.	Pittman	
Cummins	Jones, N. Mex.	Reed, Mo.	
Curtis	Kendrick	Reed, Pa.	

NOT VOTING—19

Dale	Greene	Means	Stanfield
Deneen	La Follette	Neely	Stanley
Edwards	Lenroot	Overman	Walsh, Mont.
Elkins	McKinley	Owen	Warren
Ernst	McLean	Shields	

So Mr. GOODING's amendment to Mr. FERNALD's amendment was laid on the table.

Mr. JONES of Washington. Mr. President, I move to lay on the table the amendment proposed by the Senator from Maine [Mr. FERNALD], and on that motion I ask for the yeas and nays.

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

Mr. KING (when his name was called). Upon this question I have a pair with the senior Senator from Kentucky [Mr. STANLEY]. In his absence I am compelled to withhold my vote.

Mr. MCKINLEY (when his name was called). I have a pair with the Senator from West Virginia [Mr. NEELY]. In his absence I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN], which I transfer to the senior Senator from Tennessee [Mr. SHIELDS], and vote "yea."

The roll call was concluded.

Mr. GLASS. I am paired with the senior Senator from Connecticut [Mr. MCLEAN]. I am told that he would vote as I intend to vote, and therefore I vote "nay."

The result was announced—yeas 40, nays 36, as follows:

YEAS—40

Ashurst	Edge	Johnson, Calif.	Overman
Ball	Ferris	Jones, N. Mex.	Pittman
Brookhart	Fess	Jones, Wash.	Ralston
Broussard	Fletcher	Kendrick	Ransdell
Capper	Frazier	Ladd	Robinson
Caraway	George	McKellar	Shipstead
Couzens	Gooding	McNary	Simmons
Curtis	Harris	Means	Smith
Dial	Heflin	Norris	Smoot
Dill	Howell	Oddie	Trammell

NAYS—36

Bayard	Ernst	Mayfield	Stephens
Bingham	Fernald	Metcalf	Sterling
Borah	Gerry	Moses	Swanson
Bruce	Glass	Pepper	Underwood
Bursum	Hale	Phipps	Wadsworth
Butler	Harreld	Reed, Mo.	Walsh, Mass.
Cameron	Harrison	Reed, Pa.	Weller
Copeland	Johnson, Minn.	Sheppard	Wheeler
Cummins	Keyes	Shortridge	Willis

NOT VOTING—20

Dale	King	Neely	Stanfield
Deneen	La Follette	Norbeck	Stanley
Edwards	Lenroot	Owen	Walsh, Mont.
Elkins	McKinley	Shields	Warren
Greene	McLean	Spencer	Watson

So Mr. FERNALD's amendment was laid on the table.

Mr. FERNALD. Mr. President, I wish to give notice now that I shall ask for another vote on the amendment when the bill reaches the Senate.

Mr. GOODING. Mr. President, I wish to give notice that when this question comes up in the Senate I shall again propose my amendment, which was laid on the table.

The PRESIDENT pro tempore. The Chair may say, merely for general information, that it does not require a reservation in order to offer an amendment in the Senate.

Mr. KING. Mr. President, if I may be permitted to say so, the statement of the Senator from Idaho is made in order to give notice to our friends to be present.

The PRESIDENT pro tempore. The bill is before the Senate as in Committee of the Whole, and is open to further amendment.

Mr. WALSH of Massachusetts. Mr. President, I wish to enter my protest against the action of the Senate in adopting the motion to place these two amendments upon the table. I think it is just such methods as this that will eventually lead to the Senate adopting a cloture rule. One of these measures has been debated, fully considered, and voted upon by the other House in the last session of the present Congress; it has been here since the first Monday in December, and not even opportunity has been given to discuss it upon its merits and to vote upon the question. I tell you, gentlemen of the Senate, if you continue to deny final decisions to petitioners who are asking for legislation such as the amendment proposed by the Senator from Idaho [Mr. GOODING] and that proposed by the Senator from Maine [Mr. FERNALD], sooner or later there will be a demand here for such rules in this body as will permit action. This is an injustice, a rank evasion of responsibility.

No one has a right to protest against a decision against him in the legislative body or in the courts, but petitioners who have not the right to have the roll call and to have a vote taken upon measures of importance which have been here for years have just complaint against the system of doing business which is in operation here.

That is the protest I make, and I wish to make it in behalf of the people of my State, who are interested in this proposed legislation, and who have been here for months asking for a decision. You have not even given us an opportunity to fully discuss the question. Go on with this work, and the people of this country will rise up and demand that rules be adopted that will permit action, that will end sessions that are mere words, that will stop filibustering and bring about action and decisions. Let petitioners of the Congress get a final judgment, and stop postponing, delaying, and side-stepping these questions.

What would you say of a court of law that allowed, by its procedure, witness after witness to be called, argument after argument to be made, and yet never permit a decision to be reached. It would very soon come into disrepute; and that is what we are bringing about in this body by a procedure of this kind. It is unbusinesslike and indefensible. I demand that it come to an end.

I want to protest just as strongly as I know how against disposing of matters of this importance in the manner in which this Cape Cod Canal bill has been treated.

Mr. DIAL. Mr. President, I should like to suggest to the Senator from Massachusetts, who has just taken his seat, that some of us feel embarrassed about the position in which we have been placed. I feel, as does the Senator, that we ought to have a vote on this question. It seems to me that we could get results if we would approach the subject in the proper way. I should be very glad if he would suggest a time when the measure could be brought up separately and a vote taken upon it.

Mr. WALSH of Massachusetts. It would be useless.

Mr. BORAH. I wish to say a word in explanation of my vote, because I presume this matter will come back again. I voted against laying this amendment on the table, not because I am in favor of the proposition, but because I am opposed to shutting off discussion under such a procedure. I say this much now so that I shall not be called upon to explain later if the matter comes directly before the Senate.

Mr. GOODING. Mr. President, I wish to thank the Senator from Maine [Mr. FERNALD], who had this particular matter in charge, for carrying out, as far as he was concerned, such an understanding as Senators sometimes have. Outside of the Senator from Maine, however, and one or two others, it did not go any further. I was told all the time what New England was going to do for the long-and-short-haul amendment when it came in. I had some advantage, because the vote had to come first on my amendment.

I was not altogether astonished or surprised when the majority of the Senators from New England voted to retain the Cape Cod Canal amendment. I have not forgotten, Mr. President, the fight that I made here with New England on the tariff question, when I stood all summer long in the hot days and fought for what I believed was a proper and reasonable tariff on manufactured articles. At times I was alone in the fight, with the exception of the senior Senator from Connecticut [Mr. MCLEAN]. I want to serve notice on New England that I have felt their claws, and from now on somebody else will fight their battles if they are going to vote to destroy my section of the country.

Mr. WALSH of Massachusetts. Mr. President, I hope the Senator will exclude the Democrats from New England in his condemnation.

Mr. GOODING. Yes; I shall do that. I want to thank the senior Senator from Massachusetts [Mr. WALSH], who has been fair and reasonable and just in the matter, and stood by me in my fight, so far as that is concerned, all the way through. I must exclude him; he voted with me for the amendment that has just been wrecked, and voted again to sustain me.

I wish the Senators from New England, however, to understand that from now on they had better get somebody besides the West to fight their battles. They voted against good roads; they have voted against everything the West has asked for If that is what you want; if you are going to destroy my section of the country, all right; but perhaps when we build this country over again we will build it better. I think that that might be done. Let me say, however, that when we go down they will go with us. That is what usually happens.

Mr. NORBECK. Mr. President, I have listened to the remarks of the Senator from Idaho with a great deal of interest. There is nothing peculiar in the situation to me, except that it has taken the Senator from Idaho so long to discover a few things.

Mr. GOODING. Perhaps I have been a little slow.

Mr. NORBECK. I do not blame New England. New England stands together for the industries that mean something to that section of the country. They fight shoulder to shoulder in an honorable way. It is true that they have certain advantages, when they come and ask for protection here and there, to meet new conditions; but when the West has come and asks for something, we are told that we are asking for something unsound, uneconomic, and illogical. I have no complaint of that; my only complaint is that the West has been divided. When we have appealed to Representatives of the West to stand together in the battle they have scattered and divided into several groups.

I appealed to them when the tariff bill was under consideration to insist upon some benefit being accorded to the West, but I could not get the West to stand together. So, when the Mellon plan was up to reduce taxes—and I am not going into the question whether it was sound or unsound—I asked merely, "Do we want to vote another relief measure for another section of the country?" I appealed to Senators from the intermountain States and said, "Hook up your farm relief with it," but they would not stand with me. They said, "Our turn will come"; and now their turn has come.

Mr. BUTLER. Mr. President, I listened to the remarks of the Senator from Idaho [Mr. GOODING] with considerable interest. I am sorry that he has exhibited a condition which he describes as "mad." If he will observe the vote, New England did divide on his amendment. I voted for it, while some of the other New England Senators did not vote for it. My colleague [Mr. WALSH] voted for his amendment. So far as Massachusetts is concerned, we stood by him, and I hardly think that under the circumstances it lies in his mouth to make a complaint about all of New England.

Mr. President, the proposition which is favored by the Senator from Maine and which he has advocated and defended on the floor of the Senate is one that not only interests Massachusetts and New England, but interests the whole country. The commerce which would go through the Cape Cod Canal and which does go through that waterway is not alone Massachusetts commerce; it is not alone New England commerce; but is the commerce of the whole country. I am anxious to vote with my brethren from the West for projects in which they are interested. I know that we can not go along in this country with any degree of success divided in our interests, divided in our purposes, and divided in our votes in this body or any other body which undertakes to represent the interests of the entire country. I know that we must give and take; I know that what interests us in New England interests likewise the people of the West. I know that they can not sell their products in New England unless we have a prosperous New England, and I know that we in the East can not sell our manufactured commodities in the West unless agriculture is prosperous throughout the western country. I wish now to say merely that if the Senator from Idaho will bring forward his amendment again I shall vote for it, as I voted for it on the last vote.

Mr. LADD. Mr. President, I send to the desk an amendment, which I desire to offer and to speak on at this time.

The PRESIDING OFFICER (Mr. FESS in the chair). The Secretary will state the amendment offered by the Senator from North Dakota.

The CHIEF CLERK. On page 32, line 23, after the word "officers," it is proposed to insert:

Providing said Board of Engineers shall make use, so far as applicable, of existing data and shall make its report on or before November 15, 1925.

Mr. LADD. Mr. President, for years past the people of the West have endeavored to secure better water transportation facilities for their products; in other words, to bring the ocean traffic for steamers 1,200 miles nearer to the interior of this country. At every point they have been strenuously opposed by a powerful group in the East made up of railroad interests and the big financial interests of New York.

In his annual message to the Senate, President Coolidge has given voice to the need for the St. Lawrence waterway, and the commission or conference appointed by the President to study agricultural needs of the country have likewise indorsed this undertaking as essential for helping the farmers of the great West.

In my discussion it is not my purpose to seek to prevent the natural developments for waterway transportation in New York or elsewhere, but rather to call attention to existing conditions, to past history, to what has been done and is being done to prevent the development of the great project which the people of the West find essential to enable them to compete in any manner with the great industrial centers along the Atlantic Ocean, and especially with New York.

I desire also to point out some of the reasons why the Oswego-Hudson Ship Canal is not feasible, and probably in the end will never be undertaken.

Mr. President, referring to the project adopted and authorized in House bill 11472, page 2, line 9, and the item among those projects for which preliminary examinations and surveys are authorized and directed, page 32, line 20:

The plain truth concerning these two items is that they seem to have been conceived, first, as I shall attempt to show, directly for the purpose of delaying or preventing the construction of the St. Lawrence ship channel project, now pending between the Governments of the United States and Canada, and second, with the ultimate purpose of unloading upon the Federal Government a very unhappy investment by the State of New York in the so-called New York Barge Canal.

Without indulging in personal opinions, but citing you to certain documentary evidence, statements, and admissions by New York officials and others—opponents of the St. Lawrence project—the material herewith submitted is only a fraction of what is at hand.

According to the CONGRESSIONAL RECORD for December 18, 1924, Congressman DEMPSEY, in his speech on the bill—the paragraph commencing "And then we come to the third of the great improvements in this bill and that is the development of the Hudson River up to Albany," and so forth—clearly states that these items form a part of their purpose of substituting a route across New York State in lieu of the St. Lawrence route.

Inclosures Nos. 1 and 2 of the Northern New York Development League clearly set forth this purpose and condemn it.

Mr. President, I ask unanimous consent to have these various inclosures printed as an appendix to my remarks, without reading.

The PRESIDING OFFICER. Without objection, it is so ordered.

[See appendix to Mr. LADD's remarks.]

Mr. LADD. Mr. President, the proposed route from Oswego to the Hudson is not a feasible ship-channel route. The State of New York settled that by engineering studies conducted by the State. See inclosure No. 3, "Statement by Martin Schenck, State engineer of the State of New York in 1892." See also report of the New York commission appointed by Theodore Roosevelt, when Governor of New York, of March 8, 1899, headed by Gen. Francis V. Greene, and known as the Greene committee. Also report of the New York Commerce Commission, appointed by Governor Black, submitted in 1900.

See inclosure No. 4, a statement by State Engineer Frank Williams, dated October 20, 1919. Other statements by New York, almost without number, to the effect that a ship channel is impracticable, could be cited; and it was upon those reports that the State of New York decided, against the protests of the West, that a barge canal and not a ship channel was the practical plan to adopt. Another reason for this decision was that Buffalo refused to support the constitutional amendment if her tollgate privileges of breaking bulk at Buffalo were taken away, as they would have been if the ship channel had been adopted. The fact remains that New York decided that a ship channel across the State of New York was not a practicable project, and went forward with the barge canal.

The history of the investigations and hearings leading up to the items referred to in this bill is found as press items in inclosure No. 5. Note especially the report of Colonel Newcomer and General Beach. (Doc. No. 350, 68th Cong., 1st sess.) You will note that General Beach doubts whether the plan would be beneficial to any but a limited locality, and he further saves the face of the Board of Engineers by saying "It is hardly possible to grant the claim advanced by certain advocates of the project that it will furnish a satisfactory and deep-water outlet for the entire Lakes area and upper Mississippi Valley, or solve the admittedly difficult transportation problem which that great section of the country now faces." Those words were probably inspired by certain correspondence which took place with the Board of Engineers, previous to the hearing, and found in inclosure No. 6. Accompanying these letters was a brief statement of the reason why this would not answer the needs of the West. See inclosure No. 7. Inclosure No. 7½ enlarges upon the same point.

Referring to inclosure No. 4 the State engineer undertakes to estimate the cost at $505,000,000. That only covers a 25-foot channel from Oswego to Troy. Additional improvement from the present deep water to Troy would be more than $25,000,000, or involve a very considerable increase in cost. The cost would

be at least $650,000,000, and there would be no by-product of power to help bear the cost.

Mr. President, there is no need for spending $100,000 in additional surveys. Our Army Engineers have many times made this investigation.

On this see the Windsor Report, Senate Document 307, Forty-third Congress, first session; Deep Waterway Board, House Document 192, Fifty-fourth Congress, second session; Captain Palfrey, Chief of Engineers, Report, 1889; Judson Report, House Document 293, Fifty-second Congress, first session; Symon's Report, House Document 86, Fifty-fifth Congress, first session; United States Waterways Commission (Burton), Senate Document 409, Sixty-second Congress, second session; Major Kingman's Report in 1892; the Great Lakes project, House Document 755, Sixty-fifth Congress, second session; Colonel Warren's Report, House Document 1591, Sixty-fifth Congress, third session; and Col. Clark S. Smith's Report, House Document 890, Sixty-sixth Congress, third session.

Turning now to what the New York Barge Canal actually is, please note inclosure No. 8, being an excerpt from the annual message of Governor Smith to the Legislature of the State of New York, January 7, 1925, and inclosure No. 9, a statement from the Marine and Shipping Age of April, 1923, on the question of hazards.

Mr. KING. Mr. President, will it interrupt the Senator to ask a question for information?

Mr. LADD. Not at all.

Mr. KING. I am not sure, because I have not heard all that the Senator said, whether he is combatting—and I hope he is—the view that a survey is necessary from the Great Lakes through Canada, or a canal from the Great Lakes to the Atlantic.

Mr. LADD. From the Great Lakes to the Hudson; that is what I am combatting, on the ground that sufficient surveys have already been made, and they have condemned it, and the Governor of New York has condemned it, as I shall try to show later. I am asking that instead of that being done, this item that they are asking to stand as a part of the bill shall be so amended that they must make their report by November 15, 1925, and at the same time utilize the material that they already have, so that it will not delay the work on the St. Lawrence project.

Mr. KING. Mr. President, may I ask the Senator another question? Is there anything in the pending bill carrying an appropriation for the purposes which the Senator is now discussing?

Mr. LADD. There is.

Mr. KING. I was not aware of that. Is the Senator moving to strike it out?

Mr. LADD. I am not moving to strike it out. If they want to develop it, I have no objection; but I do not want it to stand in the way of and hamper the development of the St. Lawrence project, which the West has been demanding, but to limit the time they may have for making their report.

Mr. KING. If I understand the Senator, the project is impracticable, and if it will have any advantage at all it will be purely local. Therefore, why should we appropriate out of the Treasury of the United States for an ephemeral, unscientific, and improper scheme, and one which, if it has any value at all, is a scheme in which New York alone ought to be interested?

Mr. LADD. I agree with the Senator, but I do not care to take that stand. I am only asking that the development of the St. Lawrence project shall not be hampered by an attempt to develop that region, when all their engineers say that it is impracticable, when their governor says that it is impracticable, and when the newspapers in Albany, as I shall quote a little later on, maintain that it is impracticable.

Mr. KING. I thank the Senator for challenging attention to it, and if he does not move to strike it out I shall.

Mr. LADD. Referring to the governor's message, I wish to call your attention to some comparisons. There was a great shortage of transportation at the lower end of Lake Erie during the past summer. The Canadian canals in the St. Lawrence were working to capacity. They carried the unprecedented tonnage of 5,536,374 tons, 22 per cent higher than any previous high record. Much of this was United States tonnage. These figures are in striking contrast to the New York Barge Canal, which carried only 1,600,000 tons, according to Governor Smith, and it must be remembered that the Canadian canals were worked to capacity. They averaged one boat through every lock every half hour or better all through the season from May to December, and yet the New York Barge Canal did practically nothing.

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

The PRESIDING OFFICER. Does the Senator from North Dakota yield to the Senator from New York?

Mr. LADD. I do.

Mr. COPELAND. Why was the Canadian canal worked to full capacity?

Mr. LADD. Why was it, or why was it not?

Mr. COPELAND. The Senator said that the New York Barge Canal carried only a limited amount of freight, while the Canadian canal was operating to full capacity. Was not that the language the Senator used?

Mr. LADD. They were operating at full capacity at the same time, while the report of the Governor of New York State states that the amount of cargo carried upon the barge canal was 1,600,000 tons; and if there was a congestion in the Canadian transportation on the Great Lakes and there was the opportunity for carrying an additional amount, why was it not utilized?

Mr. COPELAND. Of course, the answer to that, as I see it, is that the Hudson River itself is so shallow that it is not possible to make the successful connection between the ocean and the mouth of the canal that will be possible after the deepening of the Hudson.

Mr. LADD. Mr. President, there was nothing to prevent the taking down of the barges, even then. The barges might have gone straight through to New York City.

I am going now to quote from Colonel Greene, on January 8, commenting on Governor Smith's message, Colonel Greene being in charge of the New York State canal. He says:

> The barge canal is a great thing for the western grain growers, and it provides them with an easy route to the great eastern ports.
>
> This transportation at the present time is being paid for by the taxpayers of the State of New York. If the people of the Western States are determined to have a waterway to the Atlantic seaboard, then let the Federal Government take the barge canal off the State's hands and convert it into a ship canal. This could be done by junking the section between Buffalo and Syracuse and using the canal from Oswego to the Hudson after first deepening it so as to make it navigable by ocean craft.
>
> The present barge canal parallels Lake Ontario from Buffalo to Syracuse, which is useless. I am frank to say I do not know any method to make a paying proposition of the barge canal. Few shippers will use it, and those who do will soon abandon it if needed repairs are not made. I wash my hands of the whole thing until a determination has been reached with regard to the best way to handle it. If the legislature will authorize a commission to study the situation, as Governor Smith urges it to do in his message, I will do all in my power to aid the investigation and show just how far the barge canal has deteriorated in the last few years.

There is some collateral matter which bears indirectly on the question at issue, which has been compiled from various data, and which I ask to have included in my remarks without reading.

The PRESIDING OFFICER. Without objection, it will be so ordered.

[See appendix to Mr. LADD's remarks.]

Mr. LADD. Mr. President, a careful reading of the recommendations of the district engineer of New York, the division engineer, Colonel Newcomer, the Board of Engineers for Rivers and Harbors, and the letter of transmittal from the Chief of Engineers to the Secretary of War, as contained in Document 350, Sixty-eighth Congress, first session, will disclose most clearly that the engineers did not recommend this, except under the greates political pressure, and such qualifications were drawn around it by the division engineer and Chief of Engineers as to condemn it with faint praise.

These items were forcefully opposed in the House by Congressman KVALE, of Minnesota—CONGRESSIONAL RECORD of January 15, 1925, pages 1886 to middle of last column 1890.

These items should be amended to provide that such examination and survey by the engineers should make use of all existing data applicable to the case and that they should finish their report by November of this year, so that it may not delay the St. Lawrence project, because the International Board of Engineers will be reporting about that time and we do not want to have to hold up negotiations with Canada waiting on the report like the one provided for in this bill.

Mr. President, beginning with the report of 1900, down to the present time, not only distinguished commissions appointed by Governors of New York but our Army engineers have condemned or failed to recommend a ship channel across the State of New York.

Mr. President, the farmers of the West have asked for the St. Lawrence project for the past 10 years or more, and her business interests are demanding the same as an all-water route from the Great Lakes to the ocean for ocean-going vessels. I have already called attention to the fact that this project has the sympathetic support of the President, as indicated by his message and by the conference appointed by the President in their report to the President and transmitted by him to the Congress.

Then who opposes this project? I need not say to our western people that it is the railroads and great financial interests of New York and the East. In this connection, as to what are the needs of the West and what should be its policy, I can not do better than quote from the remarks of Congressman KVALE before the House when this very measure was under consideration, as shown in the CONGRESSIONAL RECORD on page 1890, who said:

> Here is where the great Northwest and the West, irrespective of party, should stand together to protect their interests. I appeal here and now to all Representatives in this body from the States of Ohio, Indiana, Michigan, Illinois, Wisconsin, Iowa, Minnesota, North and South Dakota, Nebraska, Wyoming, Colorado, and other western States which have declared definitely and emphatically for a deep waterway to the ocean by way of the St. Lawrence River, to join in defending this project against the deathblow it would receive through the authorization of the deeper Hudson project.
>
> There is reason to believe that Canada is soon ready to come to an agreement with the United States looking toward the realization of the international waterway; an overwhelming majority of shippers, farmers, and citizens of the West are vitally interested in this matter. That their hopes and plans should be ruined through the adoption of this provision for a project to deepen the Hudson and benefit a locality of indefinite expanse to an undetermined extent is eminently unfair.
>
> Events of the past few weeks give sound basis for the belief that the State of New York sees in the proposed project the opportunity to rid itself of the white elephant it now has in the barge canal. Earlier in these remarks I quoted from the address of the Governor of the State of New York, Mr. Smith, showing that the barge canal, despite its enormous cost and elaborate publicity, is being operated by the State at an alarming loss; that as a commercial problem it is declining into decay, and that the State feels the necessity of taking some action very soon. If the State is to be given credit in payment on this project for deepening the Hudson for its expense on the barge canal, is it then fair to have already thrust on us the prospect of being forced to take over the canal and make it a part of the Federal project because the State does not wish to sustain further losses thereon, and thereby subject its citizens to higher taxes?
>
> The absorbing question for the farmers of the West is no longer one of production. The western farmer is now making two blades of grass grow where one grew before; the soil is fertile and is utilized to the utmost. But the question of distribution is the vital problem; it demands solution very soon. Trainloads of food are rotting on the ground merely because transportation rates are too high to warrant their carriage to markets; when rates are substantially lowered the problems of the Northwest are more than half solved.
>
> And the one great step toward the solution is the St. Lawrence deep waterway.

Mr. President, I ask also to have included without reading a statement given out by Dr. Alva H. Benton, of the North Dakota Agricultural College, with regard to the Great Lakes-St. Lawrence waterway and what it means to the farmers of North Dakota.

The PRESIDING OFFICER. Is there objection?

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

GREAT LAKES-ST. LAWRENCE TIDEWATER ASSOCIATION—WHAT THE DEEP WATERWAY WILL MEAN TO NORTH DAKOTA (BY ALVA H. BENTON)

The question may well be asked, "What will the St. Lawrence deep waterway bring to North Dakota?" It will bring the farmer of central North Dakota within 400 miles of the seaboard, whereas now he is approximately 2,500 miles. The question again comes up, "What difference does it make?" The answer is, first, that it will cost at least 7 cents a bushel less to export grain to Europe, because freight transportation is cheaper by water than rail, and second, it will eliminate handling charges at Buffalo and New York, or, if it goes by way of Montreal, it will eliminate handling charges at the Georgian Bay, or Buffalo, and at Montreal. The combined savings are at least 7 cents a bushel, made up of 6 cents on freight and 1 cent on handling charges, and the price of grain exported from North Dakota and the spring wheat area will be increased by this amount. The price level of grain needed for consumption will also be raised, because if, at present, for example, the high grades of wheat are selling for $2 per bushel and the lower grades for $1.50, the higher is evidently worth to the miller 50 cents more than the lower. If the lower grade were raised 7 cents a bushel the higher grade would also go up because the millers would buy more of the higher grade rather than the lower until the price difference became the same. North Dakota, which grows a large proportion of durum wheat, would benefit directly because 90 per cent of the hard spring wheat exported is handled at Duluth. Since it is not usually valued on the basis of protein or gluten content all durum wheat would be directly affected by a reduction in costs of placing it on European markets.

Rye is also an important grain in this area, and between forty and fifty million bushels are annually exported from the United States. Much of this is shipped from Duluth. The farmer in this section would again benefit to the extent of 7 cents a bushel. Barley is likewise on an export basis, some eighteen to twenty million bushels is exported annually. The question arises as to whether we will get the benefit of the cheaper water haul on barley and oats, for example, which are not so definitely on an export basis as rye, wheat, and durum. I think we will. If it should happen that barley and oats are not affected like wheat and rye, farmers will grow more of these and less of the others, thereby making them a scarcity and thus affecting the price.

What would an increase of 7 cents a bushel mean to North Dakota farmers? The average yield of grain for the five-year period, 1920–1924, and the increased returns at 7 cents a bushel are:

Exports	Average North Dakota 5-year production	Average savings to North Dakota farmers
One hundred to two hundred and fifty million bushels of wheat.	96,200,000, at 7 cents	$6,734,000
Forty to fifty million bushels of rye	14,500,000, at 7 cents	1,015,000
Thirty-five to forty million bushels of oats	67,200,000, at 3.5 cents	2,300,000
Eighteen to twenty million bushels of barley	24,200,000, at 6 cents	1,452,000
Flax	7,000,000 (no effect)	
Total		11,501,000

This $11,501,000 can be attributed to the savings that would result from increase in returns on grain due to cheaper transportation. This amount capitalized at 7 per cent, the average rate of interest on land mortgages in Dakota, would amount to $164,000,000, the amount that would be added to farm values of North Dakota farms.

On the basis of farm acreage of 20,000,000 acres—1924—this would be equivalent to $8 an acre, or $2,560 on a half section, assuming it were all in use and available for producing a grain crop with average yields. Even a larger figure would result from calculations on an acre of wheat. The average yield of wheat for the past few years is 10 bushels per acre. An increase of 7 cents per bushel would equal 70 cents. This capitalized at 7 per cent equals $10 per acre. This increase would be secured without any actual increase in cost, as the return from the electric power will pay the cost.

The effect in other ways is difficult to forecast, but the time will come when lignite-coal products, as oil, briquets, and motor fuel, will be shipped to the East. This waterway will furnish cheap transportation. Butter can now be shipped more cheaply to eastern points by lake than by rail, and if we should ever become an exporting nation the canal will place the farmer in this midcontinental area on a more nearly equal competitive basis with eastern farmers. The time may come when we will be importing products from foreign countries. We then will have the benefit of cheap water transportation.

Transportation facilities, or the lack of them, have incalculable effects on agricultural and industrial development. Although North Dakota is now 1,500 to 2,000 miles from deep-seagoing vessels, the St. Lawrence deep waterway will reduce this to less than 500 miles. The transportation facilities available to a country or locality, or the lack of them, are an incalculable force in developing or holding back the agricultural and industrial development.

FARGO, N. DAK., *January 14, 1925.*

Mr. LADD. Mr. President, in the pending rivers and harbors bill two items are authorized which ought immediately be struck out. One is for $11,000,000 to pay the cost of deepening the Hudson River in the direction of Albany, so that after spending another forty or fifty million dollars on the scheme, ocean-going vessels drawing 27 feet of water may be able to make the city of Albany a port of call. The other is $100,000 to pay the cost of a survey of a ship-canal route across the State of New York connecting Oswego with the Hudson River.

The second item is disposed of most effectually in a statement by G. W. Ball, president of the Northern New York Development League, and your attention is called to what he says in the accompanying copy of a letter which has been addressed by him to members of the New York delegation.

As for the proposed deepening of the Hudson River, the following statement—taken from a report by Gen. Lansing H. Beach to Secretary of War Weeks, and printed in House Document No. 350 of the first session of the Sixty-eighth Congress—is significant:

The division engineer does not consider the general commercial benefits to be derived from the proposed improvement sufficient to warrant the Federal expense involved, and accordingly recommends that the improvement be not undertaken at this time, unless the State or local interests contribute at least 50 per cent of the cost of the improvement. With such cooperation the work would probably be justified.

Mr. KING. Mr. President——

The PRESIDING OFFICER. Does the Senator from North Dakota yield?

Mr. LADD. I yield.

Mr. KING. Is the item of $7,000,000 in the bill to which the Senator referred a moment ago, which he said should be eliminated, the item found on page 2, reading as follows:

Hudson River Channel at Weehawken and Edgewater, N. J., in accordance with the report submitted in House Document No. 313, Sixty-sixth Congress, first session, and subject to the conditions set forth in said document.

Mr. LADD. That is one part of it. Then there is another appropriation of $100,000 in another place, I think on page 32, or somewhere in that vicinity, for making a survey of the Great Lakes to the Hudson project.

Mr. KING. On page 32 is this language:

Deeper waterway from the Great Lakes to the Hudson River suitable for vessels of a draft of 20 or 25 feet: Preliminary examination and survey to be made by a board of engineer officers.

Mr. LADD. That is where I am asking that they should utilize the materials they have, the engineers' reports, and so forth, and shall submit a report in November, so that it shall not hold up the St. Lawrence project.

Mr. KING. As I interpret this bill, the appropriation of $7,000,000 has already been authorized, and is not a mere direction that the survey shall be made.

Mr. LADD. It is not.

Mr. KING. I am afraid the Government has been committed to that project already, and that we may not escape from the net in which we have been entangled.

Mr. LADD. I agree with the Senator. On the other hand, I have no personal objection, if it is desired to approve the Hudson waterway as far as Albany, N. Y. I do not agree, however, that their claims are correct as to the profit that will be shown in the future, or the transportation of tonnage, as I shall attempt to show a little later.

The above statement is by H. C. Newcomer, colonel, Corps of Engineers, division engineer. Colonel Newcomer made an exhaustive survey of the whole plan and reaches the conclusion that Uncle Sam should only participate in the scheme to the extent of 50 per cent, and then he qualifies his indorsement by saying it would probably be justified.

General Beach doubts whether the plan would be beneficial to any but a limited locality. He says "proponents of the project claim that there would be diverted to an upper Hudson port about 25 per cent of the grain shipment of Montreal and of all American North Atlantic ports. The claim is, however, found upon analysis to be based upon a variety of assumptions, the validity of which is too uncertain to justify full acceptance of the predicted tonnage. It is hardly possible to grant the claim advanced by certain advocates of the project, that it will furnish a satisfactory and adequate deep-water outlet for the entire lakes area and upper Mississippi Valley, or solve the admittedly difficult transportation problem which that great section of the country now faces.

General Beach—with apparent reluctance—supports his subordinate, Colonel Newcomer, in the conclusion that if local bodies would contribute 50 per cent of the cost the improvement might be justified.

It will be recalled that several years ago the Associated Chambers of Commerce of New York invited Members of Congress to take a trip over the barge canal with a view, as it was then stated, to impress upon the legislative mind the importance of that waterway as an outlet to the Atlantic Ocean. Now, according to reports appearing in the newspapers, Governor Smith, in his annual message to the New York Legislature, has declared that the canal is a "white elephant" on the hands of the taxpayers of the Empire State, and it is proposed to invite Uncle Sam to take over this decaying waterway and thus save New York taxpayers the heavy annual loss, estimated at $10,000,000.

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

Mr. LADD. I yield.

Mr. COPELAND. I am sure the fair-minded Senator would not want to quote Governor Smith as saying that the barge canal was a white elephant.

Mr. LADD. I am including in my remarks, so the Senator can see for himself, the exact words of the governor, as reported by the newspapers.

Mr. COPELAND. At the proper time I shall call the attention of Senators and others to what the governor really did say.

Mr. LADD. The governor is quoted as saying that while the old Erie Canal had carried in a single year commerce aggregating 10,000,000 tons, the new canal last year carried ships conveying about 1,600,000 tons. It is said that there is no hope of making the canal a paying concern.

It is perfectly obvious that the plan of deepening the Hudson River, coupled with the other impracticable schemes to survey a ship-canal route from Oswego to the Hudson, is simply proposed for the purpose of delaying and finally defeating the St. Lawrence project. To spend money on either scheme would be to throw away public funds. The people of the great West, Northwest, Middle West, and Southwest are unanimous in demanding the speedy construction of the St. Lawrence Canal. If Congress authorizes the expenditure of public funds on the Hudson chimera, the people will be led to believe that a ship canal through all American territory is feasible and their ardor for the St. Lawrence will cool. This is the very thing that the shrewd New Yorkers are planning to bring to pass.

If additional proof is necessary to show that the purpose of the group who are sponsoring the Oswego Hudson Ship Canal is in reality for the purpose of destroying any possibility of the constructon of the St. Lawrence waterway, the following from the Albany (N. Y.) Knickerbocker Press for February 4 ought to be sufficient:

CUVILIER ASKS STATE TO OPPOSE BUILDING ST. LAWRENCE CANAL—MEANS DESTRUCTION OF NEW YORK AS SEAPORT, RESOLUTION SAYS

An attempt to influence Congress to act adversely on the proposition to construct the St. Lawrence Ship Canal was made in the legislature yesterday by Assemblyman Louis A. Cuvilier, who introduced a resolution calling upon Senators and Representatives in Congress from New York State to vote against the ship-canal plans.

The resolution points out that the Federal Government has approved the report of the joint committee for the construction of the St. Lawrence deep-water canal and has instructed Secretary Hughes to negotiate a treaty with Canada for the construction of the canal, designed to furnish a direct route to the sea from the Great Lakes, at a cost of approximately $300,000,000, to be borne equally by this country and Canada.

The resolution adds that a bill has been introduced in Congress to construct an all-American barge canal from Buffalo to the Hudson River in opposition to the St. Lawrence deep-water canal, which canal, if constructed, is declared by Cuvilier to be an enterprise largely on foreign soil, which would divert all the shipping and commerce from the West to Canadian ports, thereby destroying the supremacy of the State of New York as a commercial seaport.

Mr. President, a few days ago I pointed out that the development of the St. Lawrence waterway would mean a by-product of more than 4,600,000 hydroelectric horsepower, of which about 1,500,000 horsepower would be developed on American territory and would naturally be delivered to New York and be distributed in that territory; the balance, of course, going to Canada. This by-product of hydroelectric power would pay all the expenses of the construction of the canals for the development of shipping on the St. Lawrence. On the other hand, the Oswego-Hudson Canal would furnish little or no hydroelectric power, and as to the length of the season in which the two channels could be operated, there would be practically no difference.

Mr. President, I do not desire to stand in the way of such internal improvements as New York State may desire to undertake, but I feel the course is shortsighted when by such a circuitous route she endeavors to prevent the development of the West, whose surplus food products are essential for the maintenance of the people of the East and who stand in need of these products.

It is this kind of policy long continued which has led to bitterness against so-called Wall Street influences that seek to hold the West in enforced bondage to pay an unjust toll on all products the West produces, as likewise on all products she ships in for consumption.

THE VOICE OF THE NORTHWEST

I desire also to have printed, without reading, as indicating how the press of the Northwest look upon this proposition, an editorial entitled "A quarter of a billion for spite," which appeared in the St. Paul Pioneer Press for February 12, 1925:

A QUARTER BILLION FOR SPITE

New York State has spent $230,000,000 on its canal system in the past 20 years, according to the Independent. That is $100,000,000 more than the total cost of the Suez Canal and more than half the cost of the Panama waterway. Yet the Independent pronounces the New York system a failure, and calls attention to a recent message by Governor Smith to the legislature of that State suggesting a study of the problem—how to make it popular with shippers.

The chief difficulty is the slowness of traffic; but there is another—the scarcity of barges. Though the State charges no tolls, in spite of its great expense, investors hesitate to put money into boats. The style of barges required is expensive, and they can not be laid up during the winter by simply mooring them to a dock on account of freezing. Only large concerns, like the Standard Oil Co., can afford to take the boats to open water in winter and make use of them there.

There is a lurking suspicion that the principal reason for using nearly a quarter of a billion dollars on this unfortunate enterprise is to stall off the Great Lakes-St. Lawrence waterway by an attempted demonstration that there is no need of it. None of the difficulties of the New York Canal would apply, of course, to the St. Lawrence project, as the latter will not be for barges but for ocean-going ships. The water power also to be developed by harnessing the rapids is a potent consideration in connection with the cost of construction and operation.

Mr. President, from their own statements I have tried to point out the real purpose of the provisions of this bill (H. R. 11472) in so far as they relate to a survey of the ship canal through the State of New York, and I do not think I am unfair when I ask that nothing be done whereby the St. Lawrence ship waterway for ocean vessels be not hindered by any proposed plan intended to thwart the will of the people of the West and Northwest.

I ask, therefore, that the amendment be accepted, since it does no injustice to New York or any other section of the country. I ask that the amendment be adopted.

APPENDIX

[Inclosure No. 1]

ADDRESS TO NEW YORK DELEGATION IN CONGRESS

NORTHERN NEW YORK DEVELOPMENT LEAGUE,
Massena, N. Y., January 8, 1925.

DEAR SIR: In the campaign for rigid economy for public expenditures urged by the President he declares it is not easy to stand in the gap and resist the passage of increasing appropriation bills which would make tax reduction impossible. May we point out how in at least one instance the New York delegation in Congress can appropriately join the President in his stand?

The old project of a ship canal across New York State from Oswego to the Hudson River has been revived and an appropriation of $100,000 is sought for a new survey. This project has been surveyed and reported upon many times, and a reference to the printed official report by the Chief of Engineers will show how futile and incredibly costly such a project would be.

This report, printed in 1920 as House Document No. 390, Sixty-sixth Congress, third session, sets forth in full detail all the various previous surveys and all data. It is pointed out that the cost of the proposed route would be more than double previous estimates, amounting to the staggering total of over $600,000,000. It declares that the question of a water supply for the upper level of this canal "remains most formidable, if not insurmountable." It points out that the building of this proposed ship canal would mean the duplication of the New Welland Canal now building by Canada, and amply adequate to provide all navigation facilities for many years to come. And it finally shows that such a project would mean the destruction of the present New York State Barge Canal, which now occupies the Oswego and Mohawk Rivers. Such a project would mean the assumption by the Federal Government of the huge sums expended by the State.

These official facts carry the emphatic answer to any demand for an appropriation for another survey. We deem it particularly fitting that New York should be the first to oppose any such action and to promptly refute the insinuation which it carries that the State is trying to unload on the Federal Government an unprofitable investment.

Trusting that you will see your way for a prompt protest against the proposed appropriation, we are

Yours very truly,

THE NORTHERN NEW YORK DEVELOPMENT LEAGUE,
By G. H. BALL, *President.*

[Inclosure No. 2]

ADDRESS TO THE PRESS REPRESENTATIVES IN WASHINGTON

NORTHERN NEW YORK DEVELOPMENT LEAGUE,
MASSENA, N. Y., *January 1, 1925.*

DEAR SIR: We desire to call your attention to the inclosed copy of a letter which we are sending to all New York Representatives in Congress in an effort to prevent a futile and wasteful expenditure of public funds.

This league, which is composed of the various chambers of commerce, the large industrial organizations, and the banks of northern New York is heartily in favor of the immediate construction of the St. Lawrence deep waterway. We know the river, its navigation, and the proposed improvement. We see in the appropriation of $100,000 for a ship canal across New York State from Oswego to the Hudson River an attempt to defeat, or at least delay, the St. Lawrence project.

A comparison of the two proposed ship canals shows how much more desirable the St. Lawrence route is to the Oswego-Hudson route.

The St. Lawrence route will require only 31 miles of canal, divided into short stretches of 8–15–8 miles, while the Oswego-Hudson Canal will be a restricted channel 168 miles long, climbing up and down over a divide, as shown by the report of the International Joint Commission. Both canals will be open for navigation for the same period each year, as shown by the United States hydrographic reports.

The cost of the St. Lawrence improvement for a 30-foot channel will be $269,000,000, as compared with $650,000,000 for the Oswego-Hudson Canal, as set forth in the report of the Chief of Engineers, 1920, cited in inclosed letter, and in the report of the International Joint Commission.

And, finally, the Oswego-Hudson route will provide no hydroelectric power, while as a by-product of the improvement to navigation in the St. Lawrence River, 1,500,000 horsepower will be developed, which, under the direction of Congress, can be delivered to New York or elsewhere, or sold by the Federal Government to recoup itself for the expense of the project.

So far as the advantage of opening the heart of the country to chief ocean transportation there is no comparison between the natural St. Lawrence River outlet and the artificial Oswego-Hudson Ship Canal.

Yours truly,

THE NORTHERN NEW YORK DEVELOPMENT LEAGUE,
By ——— ———, *President.*

[Inclosure No. 3]

ONLY A PLEASING IDEA TO CONTEMPLATE, AND NOT A PRACTICAL PLAN TO CONSUMMATE

Statement by Martin Shenck, State engineer of the State of New York in 1892. It was contained in a carefully prepared statement in opposition to an appropriation for $100,000 then before Congress for a ship canal survey across the State of New York as a result of the resolution introduced by John Lind, of Minnesota, February 8, 1892.

Among other things Engineer Shenck said: "There are three types of vessels—lake, canal, and ocean. Ocean steamers could not with economy navigate a canal, and lake vessels could not compete with ocean liners." He set down as the maximum economy the barge 250 feet long by 25 feet, with a draft not exceeding 10 feet, having low clearance, so that the bridges might be fixed structures. By towing these barges in fleets "New York will be enabled to hold her commercial supremacy against all comers for many years to come." This was the germ of the idea that a barge canal across New York which would preserve to Buffalo her toll in the transfer from lake vessel to barge and to New York the same was the best method to connect the deep water of the Great Lakes with the ocean. This idea took complete form in a report made in 1897 by Major Symons. Proceeding under the provision of the rivers and harbors act of June 3, 1896, calling for "estimates for a ship canal by the most practical route wholly within the United States from the Great Lakes to the Hudson," Major Symons, although not commissioned so to do, took it upon himself to submit estimates also of a barge canal, accompanied by a demonstration of his proposition that barge canal transport was the cheaper mode. He argued that the cost of construction of the barge canal was obviously less, and the vessel operating cost was upon his reckoning also less for the barge canal. He even worked out the cost of wheat from Buffalo to New York in the lake vessel through a ship channel at $2.28, and in 1,500-ton tows he reckoned it at $2.07, including transfer. Major Symons later, in reviewing his own report, said:

"The study was convincing that for the highest economy in transportation special types of vessels are needed for use on the ocean, on the lakes, and on the canals, and neither can replace the other in its proper waters without suffering a loss of economical efficiency. Ocean vessels could not, as a general rule, engage in the business of passing through a ship canal and the lakes to the upper lake ports, and lake vessels are not fitted for use upon the ocean,, and if they made use of a canal they would have to transfer their cargoes at the seaboard ordinarily by means of lighters, floating elevators, etc., at a higher expense than such transfers would cost at the lower lake ports. For economical transportation through a canal from the Great Lakes to the sea special vessels, differing from and far less costly than ocean or lake vessels, are required.

"The conclusion was reached by the writer that even if a ship canal were built the greater cheapness of barge-canal transportation would

prevent its use by large ships, and cause it to be used almost entirely by fleets of barges, which could be almost equally as well accommodated in a smaller and cheaper canal."

Major Symons in conclusion said that his report "had an important influence in shaping public opinion in New York and in killing the ship-canal idea and in furnishing a standard about which the canal interests of New York could rally." The report and the figures of Major Symons were attacked by the West, but it made no impression upon New York. New York and Buffalo wanted the transfers, and New York State brought herself to believe, against saner New York opposition, that a barge canal was better than a ship canal.

On March 8, 1899, a committee on canals of New York was appointed by Governor Roosevelt, headed by Gen. Francis V. Greene, and popularly known as the Greene committee. Concerning the ship-canal project, the committee says:

"It seems to us that there are certain insuperable difficulties in the way of such a canal ever being a success, no matter by whom constructed. It is intended to be used by a vessel which can navigate the ocean, the canal, and the Lakes. We do not believe that such a vessel can be constructed so as to be economically and commercially successful. The ocean steamer is built to withstand the fierce storms of the Atlantic and costs in its most modern type about $71 per net ton of carrying capacity.

"The vessel to navigate the Lakes is built to withstand less frequent and dangerous storms; it has less draft on account of the small depth of the harbors on the Lakes, and it is built much less substantially; its cost is about $36 per ton of carrying capacity. The cost of a canal fleet, consisting of a steamer and three consorts, with a total cargo capacity of 3,900 tons, according to figures furnished us by boat builders, would be $28,500, or $7.31 per ton."

The foregoing is a standardized and crystallized form of the New York opposition to a ship canal across the State of New York which has prevailed from 1892 until within eight months.

It is assumed in the foregoing theorems that a calculation applying to a canal from Buffalo to Troy applies with equal force to a canal from Oswego to Troy, which is not at all true, and it is further assumed that the same calculations as applied to a canal from Buffalo to Troy applies rigidly to the passage of Lake Superior, Lake Michigan, Lake Huron, Lake Erie, Lake Ontario, the pools of the St. Lawrence, the St. Lawrence estuary, and the Gulf, with their connecting channels, which is not at all true. It is a misuse of coefficients that is astonishing in men of reasonable understanding. The New York Barge Canal contingent have adopted this fixed idea upon a statement of facts which have not been examined by any of its supporters for the last 20 years, which no one has ever tested in its application to present conditions or to a ship canal across New York under the most favorable conditions, and which obviously does not apply in any degree to the Lakes-to-ocean route, and which has acquired in the circles where it is held that same traditional standing as the belief of the African missionary that because of certain facts reported to have taken place in the Garden of Eden a man has one more rib on the right side than on the left to this day.

But the concepts of more than 30 years with all the traditions have suddenly been abandoned in favor of extending deep water in the Hudson River 35 miles in a northwesterly direction, and then, forsooth, urging what they have always opposed, a ship channel across the State of New York, a project impractical from the beginning but impossible since the construction of the new barge canal.

[Inclosure No. 4]

STATE OF NEW YORK,
STATE ENGINEER AND SURVEYOR,
Albany, October 20, 1919.

Mr. A. H. RITTER,
Care Board of Engineers for Rivers and Harbors,
Washington, D. C.

DEAR SIR: Since the receipt of your communication of September 2, 1919, asking for certain information pertaining to the construction of a ship canal from the Great Lakes to the seaboard, I have received other requests for data and expression of opinion on various points which have been raised in connection with this project.

As you are well aware, to make a fairly close estimate of cost would require considerable time, and I have not attempted to arrive at any such result. However, I have taken the records of the Board of Engineers on Deep Waterways in 1900 and by segregating those applying to the route under consideration and applying present-day prices, have arrived at an estimate of cost which may be far from being closely approximate, but which is based on the best data available and is considerably superior to a mere guess.

You ask for a statement to cover briefly the following points:

First. To what extent will the existence of the Barge Canal facilitate the construction of a deeper waterway, as, for instance, by saving in cost of rights of way, saving in excavation, construction, etc.

In the 1900 report of the engineers on deep waterways it is shown that the high-level route with a depth of 30 feet will require a water supply of 1,600 cubic feet per second. The Delta and Hinckley Reservoirs constructed in connection with the barge canal, together with the available water now derived from the Black River and the old Erie Canal feeders will give a total of about 600 cubic feet per second, thus reducing the amount to be obtained from new sources to about 1,000 cubic feet per second, which could be made available from Fish Creek and its tributaries and a Black River reservoir. The Salmon River Reservoir proposed in the 1900 report would not be needed. The State of New York might feel that it should be compensated for the cost of the Hinckley and Delta Reservoirs.

The excavation made in building the barge canal would reduce somewhat the yardage to be removed in the construction of the deeper waterway. However, it would be necessary to change the proposed route between Sylvan Beach and Frankfort, a distance of about 38 miles, from that recommended in the 1900 report if any advantage is to be taken from the construction of the barge canal between these two points. If such change should be made, some saving could be expected because of barge canal excavation, but the proportion would not be so very great.

The State of New York is the owner of extensive areas bordering the present canal system which could be used to advantage in the construction of a deeper waterway, although additional appropriations of land and of developed business interests would be necessary to meet new requirements.

The structures built as a part of the barge-canal project would, for the most part, be of little use for the project you are considering, although a few of them might be adapted so far as bridges are concerned, structures meeting the barge-canal requirements of 15½ feet would have to be entirely rebuilt to meet a requirement calling for unlimited headroom.

Second. Rough estimate of the cost of a 25-foot waterway from Oswego to Troy.

The 1900 deep waterways report contains estimates of cost of a canal having a depth of 21 feet, and one having a depth of 30 feet. By applying present day prices and assuming that a new canal having a depth of 25 feet would be approximately the mean of the cost of the two channels above referred to, I estimate the cost of a 25-foot channel to be $505,000,000.

Third. Rough estimate of the annual cost of the operation and maintenance.

The barge canal has not been in operation for a sufficient length of time to obtain any reliable data which might be used in making a comparative estimate of the maintenance for a larger canal. In the 1900 deep waterways report the estimated cost of operation and maintenance was arrived at by assuming a certain percentage of the original cost of the structures and prism and adding an annual charge to cover the operation of each lock. Taking the assumptions of this report, but applying present day prices, the annual cost of the operation and maintenance would be approximately $4,600,000.

Fourth. Amount of water power that would be rendered available.

I have not attempted to analyze this feature with the care with which it must be analyzed to arrive at even an approximate result, but from what study I have been able to give it, I doubt if the net increase in power made available by the construction of a deeper waterway would be in a considerable amount over that made available by the construction of the barge canal.

In the last paragraph of your letter to me of September 2, 1919, you say, "approximate figures only are needed, the problem now being to determine the relation between estimated benefits and probable cost." Previous to the date on which the State of New York entered upon the construction of its barge canal the advantages which might accrue from the construction of a ship canal were most carefully considered, and I still concur in the decision reached at that time by the eminent engineers who gave serious study to the problem that, considering the interests of navigation and commerce only and considering the difference in cost between the two types of canal, the preponderance of advantage is decidedly in favor of the barge canal as opposed to a ship canal. Other elements, such as military and naval necessity, may so vary the terms of the problem as to affect the conclusion, but based upon the different navigation conditions encountered in the Great Lakes, the ocean, and the channel connecting the two, and in view of the great improvement already made and possible to be made in freight-handling devices and machinery, I am inclined to the opinion that a vessel designed for navigation under all three conditions would be economically at a disadvantage as compared to two transfers of cargo.

If the elements entering into the problem have been modified by considerations other than those pertaining in 1900, and the conclusion is reached that a ship canal should be constructed, I believe that the most available route is the Oswego River-Oneida Lake-Mohawk Valley route, following approximately the location of the barge canal because of topography and because of the advantage which might be taken of work already done.

The barge canal has a capacity only a little less than was estimated in 1900 as the capacity of a proposed ship canal, although for reasons beyond the control of the State of New York, it has not as yet had an opportunity to nearly approach such capacity; and, in fact, has not as yet been employed to very much over one-tenth of its

capacity. I am, however, firmly of the opinion that as soon as the existing conditions governing its operation and control have been changed, and providing no attempt is made to arbitrarily regulate its rates, it will within a very short period of time justify its construction by operating to its capacity.

Very truly yours,

FRANK M. WILLIAMS,
State Engineer and Surveyor.

[Inclosure No. 5]

GREAT LAKES-ST. LAWRENCE TIDEWATER ASSOCIATION—GOVERNOR SMITH'S "WHITE ELEPHANT" MESSAGE OVERTHROWS NEW YORK'S BARGE CANAL CAMPAIGN—

Press Notes

CANAL "WHITE ELEPHANT?"—GOVERNOR RAISES QUERY

Thirty years of New York propaganda have been knocked into smithereens by the governor's "white elephant" message. Against the pretense that the barge canal will serve all the purposes of the west, Governor Smith has set forth a body of facts which raise a question whether it is useful for any purpose.

It has cost $190,000,000 for construction since 1905 to which he adds $39,000,000 interest, a total of $230,000,000. It needs $16,000,000 to finish it, not counting damage claims pending to the amount of 23,000,000. When these are disposed of, it will have cost the State anywhere from $250,000,000 to $275,000,000. None too much if it served the purpose. But the results so far are discouraging and there is no promise of improvement.

The old Erie canal carried an average annual tonnage of 5,400,000 tons. The barge canal has carried in the six years since its completion was announced an average of 1,640,000 tons. Should it be converted or abandoned?

Last year the total was 2,032,000 tons, of which 1,691,000 tons moved through the main line from Buffalo. On the Oswego branch the tonnage was 18,600 tons, which cost the State for operation and maintenance, not counting overhead or interest, $4.41 per ton—in terms of wheat 14 cents a bushel. Should the canal be converted or abandoned?

The department of public works, which is charged with the operation of the canal, is quoted as advising that the Erie Canal be abandoned and the Oswego-Hudson section be turned over to the Federal Government, to be converted for the benefit of western wheat shipments to the seaboard.

For such a program the New York canal advocates will find their difficulties increased by the 30 years of propaganda in which they have held that a barge canal was a more economical channel than a ship canal regardless of first cost; they must unlearn all they have taught and undo all they have built before they can convince the country that their proposition has merit. They must furthermore overcome all the adverse reports made by United States engineers that the cost and difficulty of making a ship canal across New York would be formidable if not insuperable.

CHECKED AT HOME

By a singular coincidence, the Northern New York Development League sent to all members of the New York delegation in Congress, over the signature of its president, G. W. Ball, of Massena, a demurrer to the proposed New York ship canal survey on the same day that Governor Smith's "white elephant" message was issued.

Mr. Ball's letter refers to the last report of the chief of engineers, printed as House Document No. 890, Sixty-sixth Congress, third session, issued in 1920, giving a summary of all previous investigations and surveys, with the conclusion that another survey is unnecessary expense.

It is pointed out that the cost would be over $600,000,000 and that the question of water supply for the summit level would be "most formidable, if not insurmountable."

These official facts, says Mr. Ball's letter, carry the emphatic answer to any demand for an appropriation for another survey.

"We deem it particularly fitting that New York should be the first to oppose any such action and to promptly refute the insinuation which it carries that the State is trying to unload on the Federal Government an unprofitable investment."

And while that was in the mails Governor Smith delivered the smithereen blow.

PREMATURE

Opponents of the proposed St. Lawrence seaway are chuckling with glee over the fact that the river was closed to navigation about 10 days in advance of the average date. They overlook the fact that navigation on the Lakes closed several days earlier, as it always does, yet nobody pretends the Lakes are useless; neither is the Erie Canal, which cost as much as the seaway will and closes just as early. (Erie (Pa.) Times.)

THIS WEEK'S EDITORIAL

Thirty years ago the West desired a way to the sea for ships. The first choice was by a ship channel across New York from Oswego to the Hudson. New York interests blocked the effort. They persuaded themselves that a barge canal had superior advantages, while the West became convinced by the facts, upon repeated investigation, that the natural route by the St. Lawrence was the better way, costing less and offering greater economy.

For 25 years at least everyone who has acquainted himself with the facts has known that all the advantages lay with the improvement of the natural outlet. Western people have hoped that the barge canal would prove a valuable auxiliary route—a hope which is not yet abandoned—but they have given no weight to the false idea that it could be an acceptable substitute for an open ship channel or to the false claims that it would satisfy the needs of the land-locked continent.

With some of our New York friends it has been a matter of faith, and if the facts were not with them, so much the worse for the facts.

Governor Smith's message leaves not a shred of that industriously reared theory. Instead of serving all the needs of the West he raises a sharp question whether the barge-canal system is any use whatever commensurate with the cost. In his department of public works it is confessed that the only possibility of salvage is to scrap one half the canal and convert the other half into a ship channel.

It gives no joy to western people to be told that the barge canal is an utter failure. We had hoped that it might be useful as an auxiliary traffic line. But it is only natural to remark that Governor Smith has given the barge-canal advocates something to think about besides "obviating the St. Lawrence."

SYMPATHY

A report to Secretary Hoover by E. S. Gregg of the Department of Commerce dwells on the fact that competition between ocean ports is stimulating export trade. It is remarked that there is a feeling in the Middle West that those handling the export trade at the chief ports "are not sufficiently sympathetic with the aspirations of the interior producers." And that is one reason why there is so much interest in the St. Lawrence project.

LARGE SCALE

The time has come when demands on the Federal Government for work on waterways are no longer to be regarded as "pork-barrel" assaults on the Treasury. Chambers of commerce and other agencies have combined to demand Government aid for such projects as the Great Lakes-St. Lawrence route and the restoration of the Mississippi to its old place in our transportation system. Public opinion will have to begin in 1925 to consent to appropriations for launching these great plans. (Herbert Adams Gibbons in New York Times.)

NO HESITATION

There should be no hesitation on the part of Congress in voting the appropriation requested by the President to complete the survey for the Great Lakes-St. Lawrence waterway project. (Sioux Falls, S. Dak., Argus Leader.)

NO SECTIONALISM

Those who have feared that his New England birth would breed sectionalism in Mr. Coolidge should note his advocacy of the St. Lawrence waterway from the Lakes to the sea. (Windom, Minn., Reporter.)

"THEY'RE THROUGH"

Charles P. Craig, executive director, says:

"While the facts brought out by Governor Smith's message about the New York Barge Canal are no news to those who have been observing its traffic, the decision that it is an utter failure, if that conclusion prevails, would be a disappointment to many of our people.

"They have believed in its possibilities. I know of one western lake port where $1,500,000 has been invested in floating equipment designed for barge-canal service. While Buffalo interests were bragging about the barge canal, lampooning the St. Lawrence, and putting their money into St. Lawrence carriers, it was western money that showed real faith in barge traffic.

"It is up to New York. To a large extent it is a problem for those who staked their reputations and the State's money on the theory that navigation would be more economical in a 12-foot canal than in a ship channel, and that a 12-foot canal across New York would be more efficient than 14-foot canals connecting open water. The money is lost and their reputations are not enhanced.

"But there will be a proposition to turn it over to the Federal Government. On its face that is an opportunity to acquire a second-hand canal with an annual liability of $5,000,000 and a contingent liability of $600,000,000 for salvage purposes.

"While the country may not rush into that, it will no doubt have the consideration it deserves. But if they want us to take this as a substitute for the natural outlet, that will have no standing whatever.

"They're through."

SIDE ISSUE

New York is apparently preparing a new challenge of the Federal power act. Action was begun under Governor Miller denying the jurisdiction of the Federal Government over water powers within New York State.

It was put to sleep and finally abandoned. The Buffalo News, however, reports that Attorney General Ottinger is not satisfied with the abandonment by his predecessor and will try again.

Whatever doubt there may be as to the extent of Federal jurisdiction over the waters within a State, the absolute control of the St. Lawrence by the Federal Government for the purposes of navigation is not disputed and was not attacked by the last suit.

TIME TO PLAN

It is the time of times for the farm organizations to be studying all angles of the transportation situation and getting farm sentiment formed behind it, as the basis on which the new Congress can act when it really takes up the subject of transportation.—(Washington correspondent of Kansas City Star.)

WYOMING

Wyoming is far from the physical locale of that project but the project is withal very near to Wyoming in its bearings upon Wyoming interests, to bring the head of ocean navigation a thousand miles nearer to Wyoming can not but exercise a marked influence upon Wyoming affairs.—(Cheyenne (Wyo.) Tribune.)

FROM THE SEAT OF WISDOM

If the people of the Middle West are wise, they will unite in support of the measure introduced by the chairman of the House Rivers and Harbors Committee. There is no question as to the commercial feasibility of the developments proposed in his bill. There is considerable doubt as to the feasibility of the St. Lawrence seaway plan.—(Buffalo News.)

TWO GOVERNMENTS MOVE IN FORWARD DIRECTION

The National Advisory Committee of Canada met in Ottawa, every member present. The members come from New Brunswick, Quebec, Ontario, Manitoba, and British Columbia—a broadly formed committee with Hon. George P. Graham chairman.

Their specific business was the reference to the joint engineering board. It was announced that distinct progress had been made and that the proceedings were eminently satisfactory.

The distinguished committee will now make its report to the Canadian Government advising what, if any, changes are desired in the text of the instructions to the engineers who have been under orders since last June to report whether the plans previously submitted are sensible plans and whether the accompanying estimates are sound estimates.

It is the collateral matters that have occasioned delay, and it is now the refinement of the collateral questions that require further correspondence.

Those who are familiar with diplomatic processes are amazed with the speed of these negotiations.

Meanwhile Congress has a grave problem. The President asked for authority to spend money previously appropriated on examination of plans previously authorized. And the chairman of the Appropriations Committee can not find any substantive law which warrants it.

The question whether Congress can permit the use of this money for this purpose without new legislation is still to be determined.

ABOUT FACE

Buffalo papers, called upon to change front but not able to execute the maneuver immediately, give an interesting exhibition of defending an abandoned position.

So recently as December 30 the Buffalo Express was arguing that "all investigations tended to prove the point which converted Major Symons 27 years ago"—that barge transportation is cheaper.

A week later, when Governor Smith's message was already prepared, the Rochester Democrat fell into the error of quoting a Buffalo authority that "the ton freight rate by the present facilities is a trifle less than half the best rate computed as probable by the proposed St. Lawrence seaway."

So we find the Buffalo Courier laying up trouble for the proposed New York ship canal when it points out that "A seaway open approximately half the year may be feasible from the engineer's standpoint, but it is amazing how the administration at Washington can indorse it as an economic proposal."

And when one goes back to the formal record made up by Buffalo, Albany, and New York City before the International joint commission the barriers they build up against the position they now have to assume are almost insurmountable.

Since 1897 New York has built up a theory, based on the Greene report, that a ship canal across New York, no matter by whom constructed, can not be a success. That conclusion, blazoned in capital letters for a generation, stares the new proposition in the face.

SLOWLY

Perhaps through educational efforts the opposition to the project and the outlay involved will be overcome, but like the reaching of agreements it promises to take time. The St. Lawrence will not be used by ocean-going vessels destined for Lake ports in the immediate future. (Norwich, Conn., Bulletin.)

GREAT BENEFIT

Senator GOODING, of Idaho, in the course of debate on the Muscle Shoals bill, touched on the St. Lawrence project, saying it would be of great benefit to the farmers in the Middle West.

NO DOUBT

The amount asked by the President will without doubt be allowed by Congress without any great delay, for Congress holds very largely to the President's viewpoint. (Fargo, N. Dak., Forum.)

[Inclosure No. 6]

FEBRUARY 15, 1924.

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, D. C.

GENTLEMEN: This association, noting that Colonel Slattery has made a report on the deeper Hudson project, that it is now in the hands of the Division Engineer and that in the course prescribed will be before your board for consideration, beg leave to state that in the event this development is to be considered by your honorable board as purely a local improvement to serve the Capital district and adjacent territory, we are perfectly content to rest the matter of its undertaking or not in the judgment of your board after careful inquiry into the economic benefits.

If, however, the improvement proposed is to be based upon its benefits to the West and is to be considered in any way a substitute for the proposed ship channel in the St. Lawrence River, or is intended to be undertaken as an alternative and to obviate, as has been so frequently stated, the St. Lawrence ship channel, then this association becomes interested and desires to be heard.

Will you kindly make note of this fact and see that we are advised sufficiently in advance of any hearing, and only in case we are involved and our interests are affected in the manner set forth in the preceding paragraph.

Yours very respectfully,

CHAS. P. CRAIG,
Executive Director Great Lakes,
St. Lawrence Tidewater Association.

WAR DEPARTMENT,
THE BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Washington, D. C., February 16, 1924.

Mr. CHAS. P. CRAIG,
Executive Director Great Lakes-St. Lawrence
Tidewater Association, Washington, D. C.

DEAR SIR: Your letter of the 15th instant, explaining the attitude of your association toward the improvement of the Upper Hudson River, has been received. Should your association be involved in the manner stated in your letter, the board will be pleased to afford you an opportunity to present such information as you may deem necessary.

For the board:

Very truly yours,

H. W. HOBBS,
Executive Secretary.

MAY 12, 1924.

BOARD OF ENGINEERS FOR RIVERS AND HARBORS,
Munitions Building, Washington, D. C.

GENTLEMEN: In view of our correspondence, your correspondence with the Northern New York Development League, and personal interviews with the latter's field representative, Mr. Charles H. Jackson, it would appear almost unnecessary for this association to add anything. Noticing, however, that evidence was submitted to your body upon the advantages which would accrue to the West by this short extension of deep water up the Hudson and that the press carried stories of the great benefits shown to accrue to the agricultural producers of the Middle West in the movement of grain to Albany and in general the use of this as a through route for general cargo, it seems proper that this association again remind you that it considers the proposed extension of negligible benefit as a grain route, that it will be no improvement whatever over existing routes for the movement of gen-

eral package freight, and therefore in reaching your decision we sincerely and confidently believe no weight should be given to the argument that it will benefit the western producer.

That it offers no material advantages is rather obvious, and your correspondence encouraged us to believe you needed no evidence on that point. If the improvement is justified on other grounds, it should be undertaken. As to whether or not it is so justified, we are uninformed.

In passing I have the honor to submit herewith on behalf of this association a brief discussion of the effects of the deeper Hudson upon the shipment of grain.

This association finds it difficult to reconcile the positions taken by many of the men who appeared before you in support of the deeper Hudson and the position of the same men when they appeared before the International Joint Commission in opposition to the St. Lawrence. Their testimony before the commission should be valuable to you in determining the weight to be given their later statements before you, and, therefore, I take pleasure in handing you a memorandum showing that they then held the present barge canal to be, without question, the most economical method of connecting the Great Lakes with the ocean. May I bespeak for this memorandum a careful reading and comparison with their later testimony? We knew then they were mistaken, and the commission so found, just as we now know they are wrong when they claim a few miles more of deep water in a northwesterly direction will be a material benefit, much less serve as an alternative or as "obviating" an open route to the sea.

With very great respect I remain,

Yours sincerely,

CHAS. P. CRAIG,
Executive Director,
Great Lakes-St. Lawrence Tidewater Association.

[Inclosure No. 7]

EFFECT OF THE DEEPER HUDSON UPON THE SHIPMENT OF GRAIN

(By Great Lakes-St. Lawrence Association)

Advocates of a ship channel in the Hudson River affording access for vessels drawing up to 27 feet as far as Albany have based their arguments upon the saving in distance on inland carriage as compared with the port of New York and upon certain assumed rates which such a new port would have as compared with the port of New York. Difference in distances of small amount may have little or no effect upon rates from interior producing points to seaboard. The distances, however, should not be based upon New York, but upon Baltimore and Philadelphia, whose competition the proposed port on the upper Hudson will have to meet. Business moves to the port of New York regardless of lower rates elsewhere, and it would continue to do so if a port were established at Albany.

Rates to Atlantic ports are based on Chicago. The distance from Chicago to Albany is 832 miles, as compared with 802 miles to Baltimore and 821 miles to Philadelphia. There is therefore no reason for expecting that Albany would be given import and export rates lower than Philadelphia.

Rates on ex-lake freight are not based upon distance. Baltimore has successfully defended her right to lower rates than more northerly ports, on the principle that ex-lake freight originates in territory which is nearer to Baltimore. These are practical factors affecting the rate structures, which no amount of theorizing on the natural advantages of Albany can overcome.

It is well known that grain is very sensitive to rate conditions, and that as little as one-half cent per bushel in the cost of transportation to ultimate destination will govern the routing of this commodity. The all-rail rate on grain from Chicago and other points in Central Freight Association territory is 1½ cents lower to Baltimore than to New York, and the rate on ex-lake grain from Buffalo is also lower to Baltimore than New York. Notwithstanding this fact, New York handles a large amount of grain. What is the reason for the extensive use of New York for the export of grain in the face of the higher rates to this port as compared with Philadelphia, Baltimore, Norfolk, and Montreal?

While ocean rates are in general the same for all North Atlantitc ports, grain rates are open, and it has been the practice of the large liners which ply from New York to make very low rates on grain required as bottom cargo. While charter rates from North Atlantic ports to Europe during 1923 averaged 8 cents per bushel, rates were made by these large liners as low as 5 cents per bushel, more than offsetting the rail differentials in favor of the outports. The requirements of these liners therefore account for much of the grain movement through New York. There is another reason, however, which contributes to the movement of large quantities of grain through New York, and that is the fact that this port stands alone in the multitude of its shipping services to all parts of the world. It has therefore become the port through which small consignments move to numerous points not conveniently reached from other ports. The grain moving out of New York is carried in these two classes of liners, i. e., the large trans-Atlantic liners and the smaller liners operating to minor foreign ports. The large liners referred to will not be able to ascend the Hudson River upon any depth which has been considered for this channel. The small liners rely mainly upon miscellaneous cargo, and grain is only a small part of their business. General cargo must be procured at New York, and it can not be expected that they will ascend the Hudson merely for the small amount of grain which they normally carry.

The grain which might move through a port on the upper Hudson is therefore limited to that which would be taken in tramps. Tramps, however, do not ordinarily visit the port of New York, but confine their operations to the outports. In 1903 New York recorded 11 tramp grain cargoes, but from 1903 to 1911 not a single tramp cargo was loaded at this port. According to records since 1878, Baltimore has loaded tramps every year and Philadelphia every year but one, 1904; but on the average more tramps have loaded at Baltimore than at Philadelphia. Grain from Montreal is normally carried on liners, but during recent years full cargoes have been taken from that port. Boston is also a liner port. In 1903 Boston loaded two tramp cargoes of grain, but no more from that time to the end of 1913. It is well known that tramps visit the ports which have the lowest rail rates on bulk cargoes from interior producing points.

If Albany is to compete in the grain trade on a basis which will result in savings to the public, she will have to have lower combined rail and ocean rates than New York, Philadelphia, and Baltimore. Advocates of the deeper Hudson have assumed that Albany would have a rate comparable to that applying to Baltimore, but there is no likelihood of such a rate being authorized. Baltimore has the low rate from Buffalo, as well as from Chicago and other points in the West. The grain which now moves over the Pennsylvania Railroad to Philadelphia is transshipped at Erie, where that company's elevators are located. Albany would have no chance to divert any of this grain. Grain proceeding by the Hudson route will keep right on to New York in order to get the extremely low rate by way of the deep-draft trans-Atlantic liners. The expected saving in rates to the port is not sufficient to offset the lower rates via liners as compared with tramps. The factors affecting the movement of grain through our ports clearly point to the improbability of any important shipments direct from Albany.

[Inclosure No. 7½]

THE HUDSON RIVER

(Compiled from reports on this project)

The reports on this project clearly show that some of its chief advocates are not well informed regarding the position which Albany would occupy as a port. The record of the hearing before the River and Harbor Committee contains a number of misstatements of information, particularly regarding the railroads which touch at Albany. The New York Central Railroad, with its subsidiary, the Boston & Albany Railroad, and its West Shore branch, is the only line connecting Albany with the seaboard.

On page 6, the chairman states: "I see also that the Albany district enjoys a lower rail rate of 20 per cent than New York from Chicago." A very great advantage if it were true, but it is not.

On page 9, General Taylor makes the following statement: "It will, if used as its advocates claim it will be used, relieve or tend to relieve the congestion in New York City. Of course, one of the great arguments made for it by those interested in it was the large amount of grain that would be shipped through this channel. Whether that will materialize or whether the lower rates that they claim will materialize or not is something that only the future can tell." It is clear from the above that General Taylor believes that there is considerable doubt as to the fulfillment of the expectations of the advocates of the project. In that case, it is difficult to understand how he could have recommended the expenditure of so large a sum on a purely speculative proposition. If there is no proof that rates will be made which will afford advantages as compared with competing routes, then we are not justified in committing the Government to this project, at least until this aspect of the case has been cleared up.

The report of the engineers engaged by the Albany people fails to show the rate situation as it really is. It makes certain assumptions as to future rates which are wholly inconsistent with existing rates to Albany and wholly inconsistent with the rates existing at other ocean ports. The entire argument in justification of the Hudson River improvement is based upon incorrect assumptions and incomplete presentation of data, and the assumed savings are based upon rates which any transportation man knows could not possibly be made or approved.

Albany is situated at the elbow of the longest rail route available between New York and Buffalo. This route via the New York Central is 438.73 miles long, while the Delaware, Lackawanna & Western Line, between New York and Buffalo, is only 396 miles long. The rates, of course, are identical. Albany is 297 miles from Buffalo, so there would only be a net saving of 99 miles by stopping the traffic at Albany instead of New York. But Albany can not in any respect be a competitor of the great port of New York, which continues to expand, notwithstanding the lower rates enjoyed by all ports south

of it. Albany's real competition will be with Philadelphia and Baltimore for traffic from the West. How does Albany stand in this respect? The following shows the fourth, fifth, and sixth class rates now in effect from important points:

Rates, in cents per 100 pounds

From—	To—								
	Albany			Philadelphia			Baltimore		
	Fourth class	Fifth class	Sixth class	Fourth class	Fifth class	Sixth class	Fourth class	Fifth class	Sixth class
St. Louis, Mo.	74.0	63.5	53.5	75.0	64.0	53.5	74.0	63.0	52.5
Cincinnati, Ohio	55.0	47.0	40.0	55.5	47.0	39.5	54.5	46.0	38.5
Dayton, Ohio	53.5	45.5	38.5	53.5	45.5	38.0	52.5	44.5	37.0
Zanesville, Ohio	47.0	40.5	33.5	47.0	40.0	33.0	46.0	39.0	32.0
South Bend, Ind.	59.5	51.0	42.5	60.0	51.0	42.5	59.0	50.0	41.5
Cleveland, Ohio	45.0	38.5	32.0	45.0	38.0	31.5	44.0	37.0	30.5
Youngstown, Ohio	42.0	36.0	30.0	42.0	35.5	29.5	41.0	34.5	28.5
Chicago, Ill.	63.5	54.0	45.5	64.0	54.5	45.5	63.0	53.5	44.5

The above shows that Albany would be at a disadvantage with Baltimore on traffic from all important points in the interior and that it would have some rates higher and some lower than Philadelphia. In no case has it an advantage sufficient to divert a ton of business from either of these ports. The classes given are those on which nearly all the carload business moves.

There is no chance whatever of Albany's receiving rates more favorable than those now in effect. The differentials existing in the rate via the several North Atlantic ports are hard and fast. If Albany becomes a port, her import and export rates will have to be in line with those of other North Atlantic ports. The best she can hope for is the Philadelphia rate, which is also the Montreal rate.

Albany's sole opportunity for through traffic will be confined to ex-Lake business through Buffalo. There are two ways in which this may reach Albany, first by way of the New York Central Railroad and, second, by way of the barge canal. The latter has recently been admitted by the Governor of New York to be a failure, and the superintendent of public works is reported to have declared it to be a white elephant. Its use for through traffic eastbound is confined mainly to grain, and the amount is a very small fraction of the total moving to New York.

The New York Central is the only real carrier which is in a position to make this proposition even partially successful, but we hear nothing from this great railroad system regarding any intention it may have of expending money for terminals at Albany in order to deprive itself of the haul it now enjoys to New York. We hear, however, from the Delaware & Hudson Railroad, which is not now a factor in the movement of grain to the Atlantic seaboard, but is interested in diverting grain from Portland, Me., to Albany by way of Montreal. The proposition is too absurd to merit serious consideration.

Grain exported through Portland comes chiefly from ports on Georgian Bay and is routed via Montreal over the Canadian National Railways, which has its own rails all the way to Portland. The rate on wheat from Georgian Bay ports to Montreal is 14.34 cents per 100 pounds, while to Portland it is 15.17 cents per 100 pounds, a difference of 0.83 cent per 100 pounds, which represents the rate at which it would have to be carried from Montreal to Albany in order to equal the Portland rate.

But the grain is sent to Portland because the Cunard, White Star, and other big liners call there for it after the closing of navigation on the St. Lawrence makes it impossible for them to reach Montreal. These liners are in a position to make rates slightly lower than the tramps which, it has been asserted, would come to Albany for it. Letters filed with the Joint Commission on Agricultural Inquiry by Hon. Peter G. Ten Eyck and printed in the report of the commission show that the rates are somewhat lower via the liners.

The distance from Montreal to Albany is 241 miles. The rate of 0.83 cent per 100 pounds necessary to place Albany on an equality with Portland as to the rail rate alone is equivalent to seven-tenths of a mill per ton-mile, which is less than one-tenth the actual cost to the carrier.

The proposition is clearly resting upon a false foundation—so false that it could not successfully pass the scrutiny of men familiar with transportation problems. I do not blame the Government engineers who recommend the project, because they accepted in good faith the glowing picture painted by the advocates of the scheme. The report of the division engineer and the Chief of Engineers, however, can not be considered as supporting the project. Neither of these gentlemen is at all enthusiastic about it, and the Chief of Engineers points out that it does not meet the needs of the West for a more economical outlet to the sea.

In the bill before us we are also asked to approve an examination and survey of a ship canal from the Great Lakes to the Hudson River which, if recommended and carried out, would make the project for an ocean port at Albany an entire waste of public funds. It is time that we paused to consider the inconsistent attitude of the interests favoring these two propositions; their ridicule of the St. Lawrence Ship Canal on the grounds that there is no business demanding it; their present scheme for a port at Albany on the ground that there is a large business needing a cheaper gateway to the sea; their assumption in the latter case that barge transportation from the Lakes to Albany is the thing; and their contrary action in seeking a ship canal over the same route.

If barge navigation is more economical than ship navigation the barges should proceed all the way to New York. Having passed through all the locks between Buffalo and Albany they should not be deprived of the very easy run from Albany to New York, which is the least expensive part of the entire trip. At New York the State has provided a modern grain elevator for them, which should not be allowed to fall into disuse. If there is doubt regarding the economy of the barge canal, and there seems to be a great deal of doubt on this point, the proposed development at Albany is premature and unwise. Before the Government commits itself to this expenditure, and in the same bill authorizes a survey of a ship canal to make it worthless, an adequate investigation should be made by men skilled in transportation and commerce.

[Inclosure No. 8]

EXTRACTS FROM GOVERNOR SMITH'S LETTER TO THE NEW YORK LEGISLATURE JANUARY 7, 1925

THE ERIE CANAL

In considering transportation I deem it highly important that we give careful consideration to the barge canal and all of the known facts connected with it. No one can deny that the construction, maintenance, and operation of the old Erie Canal was a strong factor in the upbuilding of the commerce and business of the State of New York. At the time of its opening 100 years ago there was a great demand for waterway transportation. In fact, the Erie Canal was responsible for the supremacy of the port of New York.

It is interesting to review some figures in connection with the old Erie Canal:

Total cost of construction, repair, maintenance, and operation from the day it was opened to 1883	$78,862,154
Up to 1883 tolls were collected on the canal, and in that same period the State received revenue in tolls	121,461,871
Bringing a new profit to the State of	42,599,717

Between 1883, when the tolls were abolished, and 1899 about $22,000,000 was expended on the canal, so that there remained at the beginning of the construction of the so-called barge canal in 1904 a balance to the credit of the Erie Canal of a little over $20,000,000.

COMPARISON WITH BARGE CANAL TONNAGE AND COSTS

Interesting also is the history of the tonnage carried on the old Erie Canal by comparison with the new barge canal. Taking the six years prior to the abolition of the tolls, from 1877 to 1882, 32,593,646 tons of freight passed through the old Erie Canal, or an average yearly of 5,434,474 tons. The new barge canal was really not opened for operation until 1919. Taking the six years from 1919 to 1924 we have 9,842,884 tons of freight carried, or a yearly average of 1,640,481 tons. In making a comparison of these figures it must be borne in mind that the new canal was designed to carry about four times the amount of freight that could pass through the old Erie Canal in a given period.

When the State authorized the construction of the barge canal by constitutional amendment, it was following the early policy of giving the money and credit of the State to the enlargement of the canal to serve the business interests of the municipalities along its route and building up the commerce of the State generally. I believe the people of the State are entitled to know whether all the purposes intended by this enormous expenditure or any part of it are being achieved. The barge canal, including construction, terminals, grain elevators, repairs, maintenance, operation, and payment of claims for damages has cost the people since 1905 up to date $191,000,625.91; between 1905, when the first canal bonds were sold, up to 1924, inclusive, we have paid in interest $39,880,386.73, making the total cost of the barge canal to date $230,881,013.64.

Let us look for a moment at the figures on the four branches of the canal for 1924. Cayuga and Seneca carried 10,827 tons, Champlain 311,470 tons, Erie 1,691,766 tons, Oswego 18,254 tons, making a total tonnage for the operating season of 1924 of 2,032,317 tons. At this point, let me make an observation about the operation of the Oswego Canal. Maintenance and operation of that branch during 1924, exclusive of permanent betterments and improvements, was $80,619.70, which is the cost of handling the freight carried on this branch without taking into consideration overhead, interest on bonds, etc., the cost per ton carried being $4.41.

I am placing before you in this report what, to my mind, are important facts in connection with the canal. Now, let us look a little into the future. The canal, like every other giant transportation enterprise, is deteriorating annually. All of its works and appurtenances are subject to the elements and wear and tear. As each year passes we must expect increased cost for maintenance and repairs, especially to the mechanical and electrical equipment.

In the six years beginning with 1919 and ending with 1924, in salaries alone to the operating forces we have paid out	$8,742,318.59
In maintenance and operation, which includes dredging, bank protection, painting of structures, etc	9,703,758.41
In that same period for new construction and permanent betterments we have expended	12,561,000.00
Making a grand total of	31,007,077.00

We come now to the requests from the department of public works for 1925:

Personal service	$1,709,095.80
Maintenance and operation	2,473,600.00
Construction and permanent betterments	1,070,000.00
Making a grant total of	5,252,695.80

A large part of the $1,070,000 item is required to take care of conditions that arise from time to time because of the incomplete condition of the canal itself. Floating apparatus for dredging purposes must be in constant use, because the unprotected banks of the canal wash into the stream. Not only is the State compelled to spend large amounts of money to dredge it, but we are confronted from time to time with claims from private individuals whose land has been washed into the canal.

NEEDS OF BARGE CANAL IN IMMEDIATE FUTURE

During 1924, for the first time in the history of the canal, its immediate operation was under the direction and supervision of trained engineers, and at a conference recently held in Albany they reported to the superintendent of public works that to complete the canal to a point that would make unnecessary the enormous annual expenditures for dredging, complete the terminals, remove sharp bends that interfere with navigation, and do other essential things will cost approximately $16,606,000. I am further informed at the office of the attorney general that there are pending against the State 751 claims for damage to water rights and privileges, appropriation of lands, and so on, the face amount of which is $23,892,472.62.

It has been the policy of the executive and legislative branches of the Government to encourage in every way possible the use of the canal as a means of transportation. The State has expended considerable money in advertising the canal by signboards, moving-picture lectures, and illustrated circulars to chambers of commerce and boards of trade along the line of the canal. In fact, the department of public works maintains a traffic bureau, the personnel of which aids shippers in every possible way, urging upon them the advantages of the canal, rates at connection points, and other information.

COMMISSION TO STUDY AND REPORT ON BARGE CANAL

I would feel that I was not taking the proper interest in the business of the State if I failed to place these facts before you. After all is said and done, authority for the canal, its maintenance and operation, is securely fastened in the fundamental law. No person nor any groups of persons in this State can change the State's policy. That must be left entirely to the people themselves, but I do believe they should have the facts. To that end I suggest that the legislature create a temporary State commission, to be made up of members of the legislature and some appointees of the governor, to conduct a study of the whole operation of the canal, comprehended in which should be a study of its possibilities and what the State can do to promote its usefulness. Certainly only good can come from giving the people of the State all the facts about an enterprise to which they are making such substantial contributions of money year after year.

[Inclosure No. 9]

[From Marine Engineering and Shipping Age, April, 1923]

BARGE CANAL HAZARDS

Authoritative estimates of the underwriting losses incurred on hulls and cargoes on the New York State Barge Canal last year fix the approximation in excess of $700,000. The premiums scarcely passed $200,000. In the light of such a disastrous experience the natural inclination of the underwriters is to abandon barge-canal coverage altogether; and this they have determined to do, unless the State will introduce substantial improvements for the safeguarding of floating property on that important waterway. And what the underwriters quote in the way of rates is something of prime importance, since it represents an overhead charge that will determine shippers to abandon the canal in favor of rail transportation. A cooperative movement is now under way in which underwriters and transportation men have joined issues, and they have submitted, through a joint committee, a series of recommendations which Superintendent of Works Walsh proposes to make use of in an attempt to secure from the New York Legislature funds for effecting the improvements indicated. The insurance men on this joint committee are Howard W. Beebem, chairman, Edgar E. Lethbridge, and George C. Owens; and the transportation men are G. Roy Hall, of the Inter-Waterways Line; S. MacClinkan, of the Trans-Marine Corporation; and S. W. Bullock, of the Inland Marine Corporation.

Among the pressing improvements recommended by this committee are the building of a new breakwater off the eastern entrance of Oneida Lake to protect shipping against the northwest winds, the buoying of the north and middle channels of the lake, and the installation of a system of storm signals at each end of the lake. It is a singular fact that whereas the rapid rises in the Mohawk River caused most of the losses in 1921, in 1922 the scene of disasters shifted almost entirely to Oneida Lake.

[Inclosure No. 10]

COMMERCE OF GREAT LAKES

(Data compiled from census and other reports for United States and Canada)

The statement has been made on several occasions that the commerce of the Great Lakes amounts to 100,000,000 tons, of which 90,000,000 tons consist of iron ore and coal, leaving only 10,000,000 tons—or 10 per cent of the total—for all other commodities. It is true that iron ore outranks in volume all other commodities transported on the Great Lakes, and it is also true that coal ranks second in volume, but it is not true that these two commodities combined have amounted to 90,000,000 tons in any year in which the total did not exceed 100,000,000 tons. In other words, it is not true that coal and ore together constitute 90 per cent of the total commerce of the Lakes.

The commerce of the principal ports of the Great Lakes, and also the commerce passing through both the American and Canadian canals at the Soo, are compiled annually by the Corps of Engineers. The records as presented for commerce passing through the canals at Sault Ste. Marie are complete and accurate, and they include both American and Canadian business, but the statistics showing receipts and shipments at ports are incomplete because they cover only the principal American ports and none of the Canadian ports. The total commerce of the Lakes can not be ascertained by examining the figures of the commerce passing through the St. Marys Falls canals, because this covers only the commerce entering and leaving Lake Superior. Approximately 50 per cent of the grain carried on the Great Lakes is shipped from Port Arthur and Fort Williams, Ontario. This is included in the traffic passing through the St. Marys Falls canals, but is not shown as a shipment in the reports of the Corps of Engineers. Some of it is included in the receipts at Buffalo, but some of the Canadian grain and some of the American grain moves to Georgian Bay ports, Port Colborne, and Montreal entirely by water.

The latest published statistics of the Corps of Engineers are for the calendar year 1921. These show total shipments at the principal Lake ports of 67,561,602 tons, of which iron ore accounted for 24,864,253 tons and coal 28,863,862 tons, a total of 53,728,115 tons for these two commodities, or 79.5 per cent. But these figures include only 7,655,676 tons of grain reported as shipped from Lake ports, whereas the grain moving out of Lake Superior alone is shown in the through eastbound traffic of the canals at Sault Ste. Marie as 7,964,313 tons. Shipments from Lake Michigan ports amounted to 4,341,033 tons, making a total of 12,305,316 tons of grain. The amount in excess of shipments reported from Lake ports in the volume on Commercial Statistics is, of course, chiefly the grain shipped from the Canadian ports of Port Arthur and Fort William.

In this paper shipments only are taken, as in any complete statement of the commerce of the Great Lakes the shipments and receipts would balance except for commerce moving into or out of the Lake system. Moreover, the statistics for shipments of iron ore and coal are more complete than are the records of receipts of these materials.

The total shipments from the principal American ports plus grain shipments from Canadian ports on Lake Superior therefore amounted to 72,211,242 tons, of which iron ore and coal constituted 74.4 per cent. But even this figure overstates the percentage of iron ore and coal. Both of these commodities are usually shipped in full cargoes from a few important ports, and the total movement is fairly shown in the statistics of the Corps of Engineers. But these statistics cover only 94 ports out of a total of nearly 400 Lake ports which receive and ship goods by water. The shipments from these minor Lake ports, while small in comparison with those of the important Lake ports, would serve still further to reduce the percentage of iron ore and coal.

Every 10 years the Bureau of the Census makes a study of transportation by water in the United States. The most recent investigation was made in 1916, but was limited entirely to commerce carried in American vessels. The total shipments in such vessels was found to be 125,384,042 tons. During the year 1916 94 per cent of the freight passing through the St. Marys Falls canals was carried in American vessels, while 6 per cent was carried in Canadian vessels. Adopting a similar ratio for all portions of the Great Lakes system, the total commerce of the year 1916 was approximately 133,388,000 tons, of

which 72,614,761 tons was iron ore and 30,179,847 tons was coal, making a total for these two commodities of 102,794,608 tons, or 77 per cent. In that year there were approximately 30,593,392 tons carried on the Great Lakes in addition to ore and coal, of which grain alone accounted for more than 10,000,000 tons. The commerce moved on the Great Lakes in 1916 exceeded that of any other year either before or subsequent to that time. Since 1916 conditions have not been normal.

During the years 1901 to 1911 the Department of Commerce published statistics showing the domestic commerce of the Great Lakes, derived from vessel manifests. Shipments of iron ore and coal, and the percentage of the total which these two commodities constituted, were as follows:

Domestic shipments on the Great Lakes, 1901–1911 (in short tons)

Commodities	1901	1902	1903	1904	1905	1906
Iron ore	21,897,009	29,796,050	25,716,104	22,769,938	36,621,370	41,297,209
Coal	9,480,541	9,632,966	14,807,804	14,125,224	14,665,875	17,575,917
All other	13,760,870	15,616,620	16,311,131	14,156,183	16,058,375	16,737,564
Total	45,138,420	55,045,636	56,835,039	51,051,345	67,345,620	75,610,690
Per cent, ore and coal	69.5	71.6	71.3	72.3	78.7	77.9

Commodities	1907	1908	1909	1910	1911
Iron ore	45,625,329	27,931,887	45,620,598	46,499,758	34,855,630
Coal	21,614,717	18,871,583	19,268,356	24,680,941	23,148,307
All other	8,370,644	13,714,554	16,085,651	15,551,617	16,307,068
Total	75,610,690	60,518,024	80,974,605	86,732,316	74,311,019
Per cent, ore and coal	88.9	77.3	80.1	82.1	78.0

Due to the exclusion of Canadian shipments from these statements, they give an exaggerated idea of the proportion of iron ore and coal, since the shipments from Canadian ports consisted chiefly of grain, lumber, and general merchandise. They serve to show, however, that the shipments of iron ore and coal did not in any year between 1901 and 1911 equal 90 per cent of the shipments from United States ports, which furnish nearly all the tonnage of these two commodities.

Examination of the official figures showing the commerce of the principal Lake ports, supplemented by more complete data on the grain movement and by the shipment from Canadian and minor American ports, indicates that the two items of iron ore and coal do not ordinarily amount to more than 75 per cent of the total traffic on the Great Lakes. The difference between this and the 90 per cent often referred to as representing the volume of iron ore and coal is a difference of 12,000,000 to 20,000,000 tons per annum, or from 1,200 to 2,000 shiploads and 400,000 to 600,000 carloads.

[Inclosure No. 11]

COST OF TRANSPORTATION ON THE GREAT LAKES

(As compiled from rates in effect for both rail and Lake hauls for through movement)

BULK FREIGHT

The economy of transportation by deep-draft vessels on the Great Lakes is too well known to require extensive argument. The proof is to be found in the rates charged and in the enormous traffic that moves via the Lake routes. In the case of ore from the head of Lake Superior, the economy of the water route as compared with rail routes is so great as to amount to practically a monopoly of the business, notwithstanding the fact that two transfers are essential between the mines and the furnaces. The relative economy of the Lake carrier as compared with the railroad in the transportation of ore will be apparent from the following table showing the rates in effect in 1921 for both the rail and Lake hauls involved in the through movement between the mines and furnaces in the Mahoning and Shenango Valleys.

	Distance, miles	Rate per ton	Rate per ton-mile
Mines to upper Lake ports, by rail	75	$1.00	$0.0133
Upper Lake ports to lower Lake ports, by water	890	.84	.0009
Lower Lake ports to furnaces, by rail	65	.995	.0153

In comparing the above costs, however, it is only fair to point out that the service and expense of the water carrier are restricted to the actual movement of the freight, and that the terminals whose efficiency contributes in no small degree to the cheapness of this transportation are maintained and operated by the railroads. In the main this bulk freight is handled by so-called tramp steamers whose port-to-port rates are fixed without reference to rail transportation. The contract rate on iron ore from Lake Superior to Lake Erie ports declined from $1.10 per ton in 1890 to 44 cents per ton in 1915, increasing abruptly to $1 per ton in 1917. The full economy of the water haul is preserved by reason of the fact that these boats do not operate as part of the railroad system either directly or indirectly, but as subsidiaries or agencies of the steel corporations. The largest company engaged in handling ore on the Great Lakes is the Pittsburgh Steamship Co., a subsidiary of the United States Steel Corporation.

Coal rates on the Great Lakes are much lower than ore rates. Coal is carried as return cargo by some of the vessels which bring ore to Lake Erie ports. The return movement of coal, however, averages less than one-half the movement of ore, and some of the ore carriers find it more advantageous to return empty to the upper Lakes than to remain at Lake Erie ports for a coal cargo. Rates on coal in 1890 were 45 cents per ton, and the same rate was in effect in 1922. During the intervening period they ranged from a low of 25 cents a ton in 1898 to a maximum of 35 cents a ton in 1903.

Rates on wheat since 1890 have ranged from a minimum of $0.0117 in 1911 to $0.052 in 1917. Grain rates usually include marine and shortage insurance. The following table shows ton-mile rates on the Great Lakes in 1922 for the three bulk commodities mentioned above.

Ton-mile rates on the Great Lakes, 1922

Commodity	From—	To—	Distance, miles	Rate	Rate per ton-mile
Wheat	Duluth	Buffalo	988	$0.038 per bushel [1]	$0.00128
	Chicago	Buffalo	895	$0.020 per bushel [2]	.00075
Iron ore	Duluth	Buffalo	988	$0.83 per ton [1]	.00084
	Duluth	Conneaut	891	$0.83 per ton [1]	.00093
Coal	Buffalo	Duluth	988	$0.45 per ton [1]	.00046
	Conneaut	Duluth	891	$0.45 per ton [1]	.00050

[1] Average rate reported by United States Engineer Corps.
[2] Rate reported by Chicago Board of Trade. Does not include marine and shortage insurance, amounting to $0.0061 per bushel.

The average haul on traffic passing through St. Marys Falls Canal in 1922 is reported as 810.7 miles, and the average ton-mile freight rate for all commodities as $0.0012.

The economy of the deep-draft lake vessel as compared with barges operating on the New York State Barge Canal, and also as compared with barges and small types of Lake boats capable of navigating the 14-foot canals of the St. Lawrence River, will be apparent from the following statement of rates on grain in effect in May, 1922:

Rates of grain in effect in May, 1922

CHICAGO TO MONTREAL, EXPORT VIA WATER

	Cents per bushel	
	Wheat	Corn
Chicago to Montreal, water	8.50	8.50
Marine and shortage insurance [1]	1.03	.46
Wharfage at Montreal [2]	.18	.17
Total	9.71	9.13

CHICAGO TO NEW YORK, N. Y., EXPORT VIA LAKE AND RAIL

Chicago to Buffalo, Lake	2.00	2.00
Marine and shortage insurance [3]	.61	.27
Buffalo to New York, rail	9.10	8.28
Transfer at New York	1.00	1.00
Total	12.71	11.55

CHICAGO TO NEW YORK, N. Y., EXPORT VIA LAKE AND CANAL

Chicago to Buffalo, Lake	2.00	2.00
Marine and shortage insurance [3]	.61	.27
Buffalo to New York, canal	7.20	7.20
Transfer at New York	1.00	1.00
Total	10.81	10.47

[1] Based on 73½ cents per $100 valuation and following prices: Wheat, $1.40 per bushel; corn, 62 cents per bushel.
[2] Based on 6 cents per ton.
[3] Based on 42½ cents per $100 valuation and following prices: Wheat, $1.40 per bushel; corn, 62 cents per bushel.

The rates from Duluth and Chicago are generally on a parity, and the difference between the rates quoted above on grain is mainly due to an increase which took place during the middle of the season, when the rate was raised from 2.61 cents to 3.8 cents as a result of a conference of the vessel operators. It will be noted that the rate on wheat from Buffalo to New York by canal was 7.2 cents per bushel, or $2.40 a ton. The haul was approximately 450 miles, making a ton-mile rate of $0.00533 or more than four times the ton-mile rate on the Great Lakes. Attention is particularly called to the rate by water to Montreal as compared with the rate to Buffalo. On wheat the rate plus insurance and wharfage at Montreal amounts to a total of 9.71 cents, as compared with 2.61 cents to Buffalo, making a difference of 7.10 cents. This difference forcefully emphasizes the differ-

ence in the economy of transportation in the deep-draft carriers which ply to Buffalo as compared with the shallow-draft boats required to navigate the 14-foot channel to Montreal. The same difference is again seen in the rate via the 12-foot barge canal from Buffalo to New York, which added to the lake results in an even greater cost than the route to Montreal. In a hearing before the International Joint Commission on October 20, 1920, Mr. Julius H. Barnes made the following statement:

"I think anyone familiar with the operating statements of the Lake carriers will agree that a standard grain rate of 4 cents per bushel for the 5-day trip from Duluth or Chicago to Buffalo, with no westbound cargo whatever and only eight months of operation, would earn substantial dividends on the cost of such Great Lakes carriers. For the 48-hour extension of its voyage (to Montreal) an additional earning of 2 cents per bushel would yield an even higher net ratio, so that there is a potential saving on this route that may well run as high as 10 cents per bushel."

Adding 2 cents per bushel to the rate quoted by the Chicago Board of Trade would make a total of 4 cents to Montreal, exclusive of marine and shortage insurance; 1 cent would be sufficient to cover this item, making a total rate of 5 cents. The possible reduction of 5 cents per bushel would be reflected not only on the grain actually exported by this route, but upon all the grain raised within the territory so situated as to be able to avail itself of this route if desired, and it is a matter of no importance whether we believe that the ocean carrier will enter the Lakes for this grain or that the lake carrier will take it to Montreal and there transfer it to the ocean vessel.

It might be assumed that the bulk carriers which are performing such economical service are operating upon a very close margin. In 1909 the commissioner of corporations made a study of transportation by water in the United States, in connection with which he endeavored to secure financial and cost statements in order to throw light upon the comparative costs of service. The results were far from satisfactory, however, due to the absence of anything approaching uniformity in the methods of accounting. The following analysis was given of the ratio of operating expenses to gross earnings of water carriers by districts:

Rate of operating expenses to gross earnings of water carriers by districts

	Lumber carriers	Coal carriers	Bulk carriers	Packet lines	River lines	All lines
	Per cent	*Per cent*	*Per cent*	*Per cent*	*Per cent*	*Per cent*
Great Lakes	-------	-------	69.7	85.7	-------	77.2
Atlantic and Gulf coasts	-------	-------	83.3	79.2	-------	79.8
Mississippi and tributaries	-------	79.3	-------	-------	86.8	83.6
Pacific coast	75.8	-------	-------	85.7	84.7	85.4

OCEAN PACKET LINES

It will be noted that the bulk carriers on the Lakes showed the smallest ratio of expense.

In considering the efficiency of various means of transportation it is pertinent to consider not only the ton-mile cost of transporting freight but also the relation of the transportation service performed to the investment required to accomplish it. The following table has therefore been prepared, showing the ton-miles of freight carried per $100 of investment:

Ton-mile of freight per $100 of investment

	Property investment	Revenue ton-miles	Ton-miles per $100 of investment
All railroads of the United States, 1920	$19,839,000,000	413,674,000,000	2,085
Great Lakes, vessels operating through St. Marys Falls Canal, 1922	240,506,825	53,563,755,956	22,271
Mississippi section of Mississippi-Warrior service, fiscal year 1922, (average haul taken as 1,000 miles)	10,334,852	655,789,000	6,339

It is recognized that the figures are not strictly comparable for the several classes of service, but they give a general view of the extent of transportation service that is procurable from equivalent investments in railroads, deep-draft ships, and barges. In view of the known shortage of transportation and the enormous expenditures that must be made for transportation equipment in order to properly handle our expanding commerce, it is worthy of note that an investment in deep-draft vessels may be expected to provide approximately ten times the transportation capacity of an equal investment in railroad facilities. If it were possible to separate the property used for passenger service from that used for freight service, the figures for the railroads would no doubt show up much better, but so would also the figures for the Great Lakes, which include vessels operating in passenger as well as freight service.

PACKAGE FREIGHT

The conditions affecting the development of package freight traffic on the Great Lakes are wholly different from those affecting bulk freight traffic. The railroads have always fought to control this traffic, and the fight did not cease when, pursuant to the will of Congress, they were required to divorce their boat lines on the Lakes. Prior to the adoption of the famous provision of the Panama Canal act an investigation was made by the Committee on Merchant Marine and Fisheries and a report prepared by Dr. S. S. Huebner which sets forth quite clearly the conditions then existing which effectually prevented the development of package business. The following is quoted from Mr. Huebner's report:

"Methods by which the railroads, owning standard Lake lines, have prevented independent water carriers from participating in the through package freight traffic: Up to the time that the trunk railroad lines reached only to Buffalo and had no interest in the rail lines to the west of Buffalo, it was to their interest to maintain the Lake lines in such a manner as to attract the largest amount of tonnage to Buffalo. But with the extension of their rail lines to the west their policy changed, and instead of attracting all possible tonnage to the Lake lines connecting Buffalo and the west, every effort was made to divert water-borne traffic to their rail lines and to prevent independent water carriers from securing an important foothold.

"In the effort to prevent competition by independent lines, it should be noted, in the first place, that the railroad-owned lines are favored by the fact that the transportation of general merchandise requires a particular type of steamer, i. e., one which has several full-length decks, whereas the modern bulk freighters, with a view to avoiding interruptions in rapid loading and unloading, must have as few compartments and divisions as possible. The numerous bulk carriers on the Lakes are thus not adapted to compete in the transportation of general merchandise, and this situation, combined with the further fact that most of the general merchandise traffic originates on the railroads at some distance from the terminals of the water carriers, has given the railroads a greater control over this class of freight and the special type of vessel used.

"As Mr. Julius Barnes, chairman of the traffic commission of the Duluth Chamber of Commerce, testified before the committee, 'so long as this class of freight originates on the railroads and is controlled by them, it is in their power to say to whom they will give it. They will not share it with any individual carrier that might offer, and they have thus controlled its movements.' (Vol. 2, p. 842.) Similarly, the Chicago Harbor Commission in its consideration of railroad control over lake transportation between Chicago and Buffalo reported that 'only boats owned by the railroads may engage in the package-freight business between Chicago and Buffalo. If these two cities were both destination points for traffic, of course, nonrailroad-owned vessels could not be excluded from competition. But Buffalo is not a destination point. It is a transfer station. Goods reaching Buffalo by lake must go east by rail or canal. Likewise, freight from the east reaching Chicago water-borne must be brought to Buffalo by rail or canal. The railroad makes with its own boat lines a through route and a joint rate from Chicago to the eastern destination, or vice versa.' (Report of the Chicago Harbor Commission, 1909, p. 187.) In fact, all the testimony before the committee is to the effect that the through transportation of strictly package freight on the lakes is completely under the control of the railroad-owned lines."

* * * * * * *

"But even if independent carriers should manage to overcome all other obstacles the railroads are still in a position to effectively control independent water carriers by refusing to give them the benefit of their dock facilities at Buffalo both for the discharging and receiving of cargo, the independent carrier thus being required, in addition to the other disadvantages already enumerated, to unload at some other dock and team the goods to or from the railroad station. To make the situation worse, the railroads have secured nearly all the water frontage in Buffalo available for dock purposes. According to the commissioner of corporations, the most important frontage and wharves of Chicago and Duluth belong to the railroads; while with reference to Buffalo, about half of the active river frontage is owned by railroads, with some small holdings by water lines. Of the 5 miles on the two sides of the city ship canal, 4 miles are owned by the railroads on the lake front. The total frontage protected by breakwaters is about 4 miles, of which the railroads own about 3, subject to some disputes as to title. The city owns about three-fourths of a mile, but with the exception of two blocks, practically none of its frontage can be reached without crossing railroad property. For some years there appeared to exist a well-defined combination between the railroads, their water lines, and most of the elevators at Buffalo by which the railroads were able to influence materially the grain traffic there and use that influence against the Erie Canal. Just how far this situation still exists is not clear, but there is some reason to believe that the railroads continue to exert a considerable control over the grain traffic. The situation at Buffalo is due in considerable degree to the fact that the railroads

largely control terminals as well as important water lines, refuse to prorate with independent water lines, and refuse the use of their docks unless the freight goes over their lines.

"The situation referred to by the commissioner of corporations was fully substantiated by Mr. William M. Hopkins, of Chicago, and Mr. Julius H. Barnes, of Duluth, both testifying before the committee to the effect that even the elimination of all other discriminating practices would not bring about the existence of an independent through-package freight service unless the independent carrier is given the use of docks on an equal basis with the railroad-owned lines. Mr. Hopkins in particular testified that 'the independent carrier does not and can not carry merchandise to-day, because he has no docks. There are some privately owned docks which he could use at Chicago, but when he gets to Buffalo he has no place to unload. All the docks are owned by the rail carriers at Buffalo, and they will not permit the use of those docks by the independent carriers, except at an exorbitant charge. The result is there is no through-package freight carried on the Lakes by the independent vessels.' (Vol. 2, p. 1236.)"

During the season of 1912 the Western Transit Co.'s lines, operating package boats between Buffalo and points on Lake Superior, received an average revenue per ton of $2.010544. The total expense per ton was $1.462967 and the net profit $0.547577. During the same year the company reported a loss on its Lake Michigan line. The details are as follows:

Douglas Exhibit No. 4 files in I. C. C. Docket No. 6573—Comparison of revenues and expenses on Lake Michigan and Lake Superior traffic, season of 1912

	Lake Michighn	Lake Superior
Average revenue per ton	$1.612262	$2.010544
Deduct cost per ton, as follows:		
Average terminal cost at Buffalo	.244101	.240041
Average cost of boat operations between Buffalo and ports on	.639869	.593593
Average terminal cost at ports on	.550085	.263728
Average cost of solicitation on traffic moving via	.174893	.124577
Average cost of loss and damage on traffic moving via	.074020	.046142
Average cost of general expenses on traffic moving via	.126816	.124706
Average cost of prop. of interest on bonds assignable to traffic moving via	.071367	.070180
	1.881156	1.462967
Loss	.268894	
Profit		.547577
Multiply by total number of tons east and west bound package freight on	375,169	366,554
Net profit		200,711.08
Net loss	100,880.69	

The above figures are of interest not only because of the segregation of the cost items but because they reflect so clearly the railroad's influence in lake traffic. The Western Transit Co. was owned wholly by the New York Central & Hudson River Railroad, which operates a direct line between Buffalo and Chicago. It is well known that tremendous volumes of freight move to and from important ports on Lake Michigan, and it has been estimated that Chicago alone receives and ships about 200,000,000 tons of freight annually. The failure to operate the Western Transit Co.'s Lake Michigan line on a paying basis induces the conjecture that the New York Central Railroad preferred to handle this traffic all rail. Ample testimony was adduced before the Committee on the Merchant Marine and Fisheries to show that the railroad-controlled lines made no real effort to develop water traffic but operated these lines merely to prevent independent competition.

The conditions restricting the development of package freight on the Great Lakes have not been materially bettered as a result of the abandonment of the railroad-owned lines. The boats which the railroads relinquished were taken over chiefly by the Great Lakes Transit Corporation. This corporation makes joint rates with the railroads and has privileges with respect to the use of railroad terminals not accorded independent carriers.

The lake ports have not established public terminal facilities which would enable independent lines to have dockage, and no arrangements exist by which such independent lines may interchange freight with the railroads on a favorable basis. By reason of the maintenance of joint routes and rates, the Great Lakes Transit Corporation is subject to the jurisdiction of the Interstate Commerce Commission, and its rates have been raised during the last few years in keeping with the several rate increases accorded the rail carriers. Due to the lack of competition and the arbitrary rate increases approved by the Interstate Commerce Commission, there has been no opportunity for the natural economy of water transportation to be manifested in the package freight service on the Great Lakes.

The questions of the advisability of regulating rates of water carriers and of permitting rail carriers to operate boat lines will be considered in a separate memorandum, but it must here be pointed out that regulation which annihilates competition and fails to preserve to the public the economies inherent to particular types and means of transportation must result in depriving the public of benefits to which it is entitled. This has been the experience on the Great Lakes, and the rates in effect on package freight can not therefore be said to be properly representative of the cost of water transportation. The correction of this situation is one of the problems confronting the people of the Great Lakes, but it is one which will adjust itself when these Lakes have been opened so that ocean vessels plying in coastwise and foreign trade may enter. When this has been accomplished modern terminals will be constructed and maintained in the public interest, and the competition of coastwise lines will force package rates to a level more correctly reflecting the cost of service.

Mr. WADSWORTH. Mr. President, may we have the amendment reported?

The PRESIDING OFFICER. The amendment will be reported.

The LEGISLATIVE CLERK. On page 32, in line 23, after the word "officers," insert the following:

Providing said board of engineers shall make use, so far as applicable, of existing data and shall make its report on or before November 15, 1925.

Mr. COPELAND. Mr. President, I am sure the Senator from North Dakota [Mr. LADD] knows that he has no warmer friend in this body than I am. If his party will not continue him in membership I shall be very glad to propose him for membership in my party. It would be a great pleasure to me to do that.

But I regret that my friend from North Dakota has been so misled by certain newspaper clippings and writings. This much must be said in all frankness, however, that he is not the only one who has been misled, because General Taylor himself, who has charge of this great work of surveys for the Government, was thrown off his feet for the time being by what he read in the newspapers.

On the 25th of January I had a telegram from Governor Smith of my State, the most popular man in my State. Sometimes even popular men are misunderstood, and he was. The governor was disturbed by the newspaper items which he saw representing the barge canal to be a failure and a "white elephant," to use the language which was used by the Senator from North Dakota. On the 25th of January the governor telegraphed me as follows:

ALBANY, N. Y., *January 25, 1925.*

Hon. ROYAL S. COPELAND,
United States Senate, Washington, D. C.:

In my annual message to the legislature I suggested the appointment of a commission to study ways and means of promoting the usefulness of the New York State barge canals. The spirit and letter of that message should be used to combat false propaganda to defeat the deeper Hudson project demanded by the State of New York to promote her commerce. You can materially assist our State canal system by urging the deeper Hudson project.

ALFRED E. SMITH.

Mr. LADD. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from North Dakota?

Mr. COPELAND. I yield.

Mr. LADD. I assure the Senator, as I stated before, that I have no desire to interfere with any internal improvement the State of New York desires, either National or State, but I not only quoted from Governor Smith as his message was given in the press, but I also quoted, which I have not read, in the way of official documents. I have no intention of doing any injustice and no desire to do so.

Mr. COPELAND. I quite understand the spirit of the Senator. He is not one who would desire to do an injustice to anybody, but he has been so misled by newspaper accounts that I fear other Senators may have been similarly misled. Therefore, hoping to straighten out in his mind the true situation and make clear to the Senate what the position of our State is relative to the deeper Hudson project and the St. Lawrence waterway, I desire to speak briefly at this moment.

I appeared before the Committee on Commerce on the 28th of January and made a statement, reading the governor's message, outlining to the committee exactly what the attitude of our people has been, and the attitude they hold now. After the statement which I made General Taylor spoke. Just what is his position, may I ask the Senator from Washington?

Mr. JONES of Washington. Chief of Engineers of the Army.

Mr. COPELAND. This is the statement made by General Taylor. He said:

May I make a brief statement which I think will throw a little light on the statement of Senator COPELAND? Under our regulations the district engineers send in clippings from newspapers published

in their localities which are of interest to the department. A clipping from one of the newspapers recently sent me indicated that the State was on the point of abandoning the barge canal. The clippings gave misquotations from the governor's message—

I want the Senator from North Dakota to observe the language of General Taylor—

The clippings gave misquotations from the governor's message and misquotations from Colonel Greene's report. For instance, here is a clipping of an item in the Buffalo Courier of January 8 by a staff correspondent, dated Albany, January 7, in which this statement appears.

I think this is the same statement which was quoted a moment ago by the Senator from North Dakota:

Colonel Greene declared he will not, as superintendent of public works, spend another dollar on the upkeep of what he terms this "white elephant" until the people determine what they want done with it.

Then he further purports to quote:

If the people of the Western States want a waterway to the eastern seaboard, the Federal Government should take the barge canal off the State's hands and convert it into a ship canal. This could be done by junking that section between Buffalo and Syracuse and using the canal from Oswego to the Hudson after deepening it for ships. I am frank to say that I do not know of any way to make the canal a paying proposition. Few shippers use it. I have washed my hands of the thing until it is decided what is the best way to handle it.

That is, of course, what disturbs the Senator from North Dakota. General Taylor went on to say:

He indicated that there was a strong movement for abandoning the canal. I stated to Members of the House from New York that if that was the attitude of the State I should be obliged to call attention of this committee to it when the item for deepening of the Hudson up to Albany came in for consideration.

One of the great reasons, or one of the reasons, which induced the engineers' department to make its recommendation for deepening of the Hudson up to Albany without local cooperation, as is done in many places, was the fact that New York State had spent very large sums on the barge canal, and that it was a great factor in the whole transportation system. As the State had built and maintained that canal, we believe the Government should carry the deep water up to the capital district which is at the eastern terminus of the barge canal.

I call the particular attention of the Senator from North Dakota to this statement:

From what Senator COPELAND has read and stated here and from the telegrams I have received from Colonel Greene, the whole matter has been straightened out. It was apparently a misinterpretation on the part of the newspapers, and our action in recommending deepening of the Hudson up to Albany I think is fully justified. I think there is no occasion for taking any other view of it.

Mr. LADD. May I ask if he recommended a ship canal from Oswego to the Hudson?

Mr. COPELAND. I am not sure whether he did or not. Suppose we ask the Senator from Washington [Mr. JONES] about that. The Senator from North Dakota asks if General Taylor recommended a ship canal from the capital district to Oswego—from Albanay to Oswego?

Mr. JONES of Washington. I do not remember that General Taylor was asked about that in our committee. This was a House provision, so we did not go into those matters in detail. I do not think he did go into that before our committee. Whether he did before the House committee I am not prepared to say.

Mr. BROOKHART. Mr. President——

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

Mr. BROOKHART. Upon the question of a ship canal from Oswego to Oneida, and then to Albany, there have been several Government surveys, the idea dating back many years, long before General Taylor had anything to do with it. At one time they recommended a ship canal 21 feet deep up through there. Whether there has been a 30-foot canal ever recommended I do not know, but there has been such a canal surveyed by private parties and urged by them, which would make an all-American canal instead of an international canal.

Mr. COPELAND. Mr. President, I wish to make clear to the Senator from North Dakota [Mr. LADD] and to the other Senators that Governor Smith has never proposed the abandonment of the barge canal; he has never proposed turning the barge canal over to the Government. He has always stood as a proponent of the barge canal and of its possibilities in the traffic not alone of the Empire State but of the Nation. I want to quote from Governor Smith's last message to the legislature, in which he said:

Certainly, only good can come from giving the people of the State all the facts about an enterprise to which they are making such substantial contributions of money year after year.

Since the last session of the legislature, the United States Army Board of Engineers for Rivers and Harbors has approved the deeper Hudson project, and it is now before Congress. This measure is for State and National economies in transportation. It provides for the creation of a 27-foot channel from the lower river to the capital district, adequate for deep-sea freighters, thus creating an inland port which will relieve surplus pressure of commerce on the port of New York and hold the channel of future trade of the United States through its logical eastern water-level route to the Atlantic coast.

* * * * * * *

It is immensely important to every community in the State and to the entire eastern seaboard of the United States that this natural geographical trade route on which the Erie Canal built up the fortunes of New York State 100 years ago be maintained and strengthened by such a measure. You will be asked to pass legislation for the establishment of a port authority necessary to the development of the project and to make provision for the coordination of existing transportation facilities with the Federal project. This is not a partisan matter—

I think we may well take this sentence from the message of the governor:

This is not a partisan matter but a business proposition, and should be kept free of politics in its every aspect.

Mr. President, I desire to say that the State of New York has spent $230,000,000 on the barge canal. That is an enormous sum. It has provided this great waterway across the State which is called the Empire State, because it is as vast as an empire. It is a waterway concerning which all those of us who came from New England and eastern stock have a sent mental interest.

My father as a little boy left Maine and went by sailing vessel to Boston. Then he traveled over the only line of railroad in this country at that time from Boston to Albany. Then he sailed over the Erie Canal to Buffalo and by vessel to Detroit.

The Erie Canal carried thousands of families to the West and had much to do with the upbuilding of the great West. It will continue through the ages to have to do with the upbuilding of this country. The State of New York has poured millions of dollars into the barge canal. Now it desires that that canal be connected with the ocean with a 27-foot channel, in order that great ships may go up the Hudson River to the canal.

When it comes to the question of a canal between Oswego and the capital district of Albany, I assume that I am in harmony with the Senator from North Dakota and that he is in harmony with the view that such a canal should be built. There is not any question about that.

I do not know whether I agree to his proposal that this report should be ready next November or not. I think that is the Senator's suggestion.

Mr. LADD. That it shall be ready on November 15.

Mr. COPELAND. November 15 of this year?

Mr. LADD. Yes, sir.

Mr. COPELAND. That is founded, if I understand the proposal of the Senator from North Dakota, upon the idea of using the old surveys. I am inclined to disagree to the amendment suggested by the Senator from North Dakota [Mr. LADD] unless he can present some very good reasons for it. I object to the use of the old surveys for the reason that since they were made this larger engineering project of ours has been carried out, and I am not sure whether they would hitch on or not.

Mr. LADD. I think the Senator did not follow my statement fully. I went back and gave the list of the different surveys which have been made, following them all the way down through, and referred to documents in which they were found, some of those being in the first session of the Sixty-eighth Congress. I have provided in my amendment that the survey material which is already available shall be utilized and be brought up to date by any surveys they may desire to make between now and November 15, not intending in any way to limit the work that shall be done.

Mr. COPELAND. I want to be clear that the Senator has in mind the idea that by making use of this material and by setting an early date for the report the work will be facilitated and that we will be nearer to that canal from Oswego to the capital district. Am I correct in that?

Mr. LADD. The Senator is correct. I have nothing to say with regard to the work from Albany to New York. That is another proposition.

Mr. COPELAND. Mr. President, I hope that what I have said has corrected the thought the Senator had in mind, and

that he must realize that Governor Smith and Colonel Greene were both misunderstood in what they had to say; and so I trust that in the future he will have confidence that the authorities and officials of New York State are just as enthusiastic for this project as is the Senator from North Dakota.

During the delivery of Mr. COPELAND's speech,

Mr. WILLIS. Mr. President, will the Senator from New York yield to me in order that I may make a brief request?

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from Ohio?

Mr. COPELAND. Mr. President, the Senator from Ohio is always so kind and courteous, and so handsome, that I can not resist him.

DISBURSING AGENTS ALASKAN ENGINEERING COMMISSION

Mr. WILLIS. Mr. President, the joint resolution (H. J. Res. 226) for the relief of special disbursing agents of the Alaskan Engineering Commission, authorizing the payment of certain claims, and for other purposes, affecting the management of the Alaska Railroad was referred to the Committee on Territories and Insular Possessions. Upon examination of the measure, however, I learn that while it relates to matters in Alaska it really is a claims matter. I, therefore, ask unanimous consent that the Committee on Territories and Insular Possessions may be discharged from further consideration of the joint resolution and that it may be referred, where it properly belongs, to the Committee on Claims.

The PRESIDING OFFICER. Without objection, the request is granted.

FINES, PENALTIES, FORFEITURES, AND LIABILITIES IN POSTAL SERVICE

Mr. STERLING. Mr. President——

The PRESIDING OFFICER. Does the Senator from New York yield to the Senator from South Dakota?

Mr. COPELAND. Mr. President, I have heard such happy news about the Senator from South Dakota that I feel inclined to yield to him.

Mr. STERLING. I can not pretend, Mr. President, to the qualifications ascribed by the Senator from New York to the Senator from Ohio [Mr. WILLIS] in making this request, and therefore have no such demand on the Senator from New York. I sent to the desk awhile ago a report from the Committee on Post Offices and Post Roads on the bill (S. 4232) to amend section 409, Revised Statutes of the United States, relating to fines, penalties, forfeitures, and liabilities in the Postal Service and asked unanimous consent for its consideration. The request was made that it go over for the time being. The Senator who made that request, however, has since withdrawn any objection, and is perfectly willing that the bill may be considered. I ask unanimous consent that it may be considered now. It is a short bill.

The PRESIDING OFFICER. Is there objection?

Mr. BAYARD. I shall have to object, Mr. President.

The PRESIDING OFFICER. Objection is made.

Mr. COPELAND. Mr. President, may I say to the Senator from South Dakota that I am very sorry that his request was not acceded to, and may I, as a Democratic Member of this body, wish him every joy in all the undertakings of life?

Mr. STERLING. I thank the Senator.

ORDER FOR RECESS

Mr. CURTIS. Mr. President, I ask unanimous consent that when the Senate concludes its business to-night it take a recess until 11 o'clock on Monday morning.

The PRESIDENT pro tempore. The request of the Senator from Kansas is that when the Senate concludes its business for to-day it shall take a recess until 11 o'clock Monday morning. Is there objection? The Chair hears none, and it is so ordered.

RIVER AND HARBOR BILL

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 11472) authorizing the construction, repair, and preservation of certain public works on rivers and harbors, and for other purposes.

The PRESIDING OFFICER. The question is on the amendment offered by the Senator from North Dakota [Mr. LADD].

Mr. NORBECK. Mr. President, as to this amendment, I hope the Senate understands that it merely asks that available information shall be used by the engineers, and, secondly, that they shall complete their report within a reasonable time.

Mr. WADSWORTH. But the time is unreasonable.

Mr. NORBECK. For what reason?

Mr. WADSWORTH. The time limit is set at November 15, 1925—this year. There are not enough engineers to do all the survey work that has been assigned to the Corps of Engineers all over the United States and also to do this particular work by November 15, 1925. The purpose of this amendment is to kill the survey.

Mr. NORBECK. What survey does the Senator propose shall be made?

Mr. WADSWORTH. What survey do I propose?

Mr. NORBECK. What survey has the Senator in mind that has not already been made once, but four times?

Mr. WADSWORTH. The whole thing ought to be revised. It is impossible just to sit down and say, "Here is a survey that we made 6, 8, or 10 years ago, and that will do." Conditions change, cities grow up, lines of travel change, railroads and improved highways are built. In a period of three or four years so many physical conditions may change that a new survey is required to check up, at least, with the old.

Mr. NORBECK. But the altitude over the ladder is just the same as when they started the surveys about a hundred years ago.

Mr. WADSWORTH. The altitude over what?

Mr. NORBECK. Over this step. This proposed ship canal is a stepladder canal. It is not practicable. It is possible to build a ship canal from the Great Lakes to the Pacific Ocean over the mountains if you step it up. The trench can be made and locks can be built to carry the canal higher and higher.

Mr. WADSWORTH. Are there any mountains on this course?

Mr. NORBECK. It has 27 locks. It goes out over the prairie and over the hills, and a ship goes for hundreds of miles through a narrow ditch.

Mr. WADSWORTH. The Senator from South Dakota is displaying an extraordinary familiarity with the State of New York.

Mr. NORBECK. Bring the report of your own engineers showing how much lift there is.

Mr. WADSWORTH. I am not denying the lift.

Mr. NORBECK. Very well.

Mr. WADSWORTH. I am saying that new surveys are needed, because the physical conditions have changed as the result of the growth of cities and highways and railroads. Does the Senator deny that?

Mr. NORBECK. The Senator means the commercial situation has changed somewhat, I think.

Mr. WADSWORTH. Certainly; involving a change in cost.

Mr. NORBECK. Since I came here a few short years ago the Senator from New York under an amendment to a bill had a survey made, and the report is on his desk now, stating that it is practically an impossible thing to bring about.

Mr. WADSWORTH. I have no recollection of any such report.

Mr. NORBECK. When a bill of the Senator from Wisconsin [Mr. LENROOT] was pending the Senator secured an amendment to it, providing that certain features of this project should be considered, and they were considered.

Mr. WADSWORTH. Yes.

Mr. NORBECK. Yes; exactly so; and it was said it was not practicable; and now the Senator from New York asks for one more survey of the stepladder route.

I have a letter over in my office giving a list of about 17 surveys that have been made on these propositions; some by the States, some by the Federal Government. One was made in Governor Black's time; another one during the time of Governor Roosevelt. One of them cost, I think, somewhere around $300,000. The Federal Government made an extensive survey some 20 years ago at very great cost, and there are innumerable surveys. There are volumes of them. I could not begin to carry the books, though I have them over at my office; and all that the Senator from North Dakota [Mr. LADD] asks is that the available information be used, and that the report be brought in in some reasonable time.

Mr. WADSWORTH. I have no objection to the available information being used. It is the latter part of the amendment that I object to.

Mr. NORBECK. All we object to is this delay. We of the Northwest are trying to get a transportation outlet. It is admitted that if this ship canal, this stepladder proposition, were practicable, and you could take those ships through the State of New York, over the hills and over the valleys, step them up and step them down, and finally reach the harbor of New York, the most congested harbor in the world, you would then be farther from the European ports than when you left Lake Ontario and started out through the cornfields with your ocean steamers.

Mr. WADSWORTH. I see that this is not a question as to the merits of this particular route. This is the St. Lawrence issue.

Mr. NORBECK. Exactly so.

Mr. WADSWORTH. Oh! That had not occurred to me.

Mr. NORBECK. We maintain that the object of this is to delay action on the St. Lawrence project; exactly so.

Mr. WADSWORTH. That had not occurred to me. I am now learning why the Senator is against it.

Mr. NORBECK. Because you had never suggested this until we proposed the St. Lawrence route.

Mr. WADSWORTH. I thought the Senator said it had been suggested for 100 years.

Mr. NORBECK. This resurvey?

Mr. WADSWORTH. No; I mean this route.

Mr. NORBECK. Why, it has been surveyed and rejected time and again, and it was two or three years ago that the Senator from New York proposed that amendment to the St. Lawrence proposition. Now, there is a second amendment to have it surveyed once more.

Mr. WADSWORTH. I understand that the St. Lawrence route is going to be surveyed again; is it not?

Mr. NORBECK. Is there anything in this bill on that subject?

Mr. WADSWORTH. It has been surveyed once.

Mr. COPELAND. No, Mr. President; the last bill passed, the deficiency bill, had $275,000 in it for a survey of the St. Lawrence route.

Mr. NORBECK. We are willing to have even the seventeenth or eighteenth survey. We are willing that it shall be made. We are just suggesting that it shall be made in some reasonable time, so that we can get the question settled.

Mr. WADSWORTH. I confess that I had not realized that this was an effort on the part of the adherents of the St. Lawrence Canal to kill off a survey that happened to be suggested inside of the borders of the State which I in part represent.

Mr. NORBECK. I have clippings sent me from New York papers suggesting that that would be a nice move to make. I have not them with me.

Mr. WADSWORTH. I have not seen them, and I never heard about that proposition in connection with this proposal before the Committee on Commerce.

Mr. NORBECK. The opponents of the St. Lawrence route say that it is impracticable because there is 30 miles of canal, while here it is proposed to put in 300 miles of canal as a substitute and as a better route.

Mr. WADSWORTH. I am not discussing the St. Lawrence project. What is the idea here? The St. Lawrence project will have to be surveyed many times before it is built, if it is ever built. It is going to be surveyed a second time under the provisions of the bills which have been introduced in this Congress.

Mr. NORBECK. The idea is that this is urged as a substitute for the St. Lawrence route. The able Senator from New York is not ignorant of that deal. It has been discussed here for four years, in spite of the fact that the route the Senator proposes will cost some five or six hundred million dollars and will have no electric power possibilities, as against the St. Lawrence route, which will cost about $250,000,000, of which Uncle Sam would pay one-half, and the electric power developed there would be more than enough to take care of the construction work. We object to having that put in as a substitute.

Mr. WADSWORTH. The Senator seems awfully sure of his facts. I have yet to find any estimate of the St. Lawrence project that confines it to $250,000,000 or anything like that.

Mr. NORBECK. What are the estimates?

Mr. WADSWORTH. The one I have seen, which was made about a year and half ago or two years ago, was $400,000,000.

Mr. NORBECK. No; but suppose we accept that, even. One-half of that would be $200,000,000 as against five or six hundred million for the other one.

Mr. WADSWORTH. But I am not arguing against the St. Lawrence route. I should like to get that into the consciousness of the Senator from South Dakota.

Mr. COPELAND. Mr. President, will my colleague yield for a moment?

Mr. WADSWORTH. I am glad to yield; yes. I had no idea that this thing would raise such a row as this.

Mr. COPELAND. I do not think anybody from New York would oppose a survey of the St. Lawrence.

Mr. NORBECK. No; they will let us survey it for a hundred years. They will only oppose it if we endeavor to get it built.

Mr. COPELAND. Let us be honest about it for a minute. What does the survey of the St. Lawrence involve? It involves not only a survey of a part of the United States but it involves a survey of a part of Canada. It involves a treaty, an international agreement; and Canada has a project on now for a canal to go up to Georgian Bay, a very different project from this one, which is entirely Canadian. Here is a proposition for constructing an American canal at a cost only of a canal between Oswego and Albany, the upper waters of the Hudson River, a very short distance. So I think fairness on the part of our friends from the West should lead them to say that there is nothing incompatible with the St. Lawrence project in what is proposed here, and I think our friends from the West ought to cooperate in this matter.

Mr. NORBECK. We are willing to cooperate. We are willing to vote the money for the other survey. We are perfectly willing to do that. We are willing to vote for deepening the Hudson up to Albany. All we are suggesting is that this matter should be brought to a head at some time in the near future.

Mr. WADSWORTH. I am perfectly willing to do that. I believe, however, that you have made this date so close, as set forth in the amendment offered by the Senator from North Dakota, that it could not be completed decently. I am willing to make it the following spring; I am willing to confine it within one year; but you put it practically within six months.

Mr. NORBECK. I do not want to speak for the Senator from North Dakota [Mr. LADD]. If it were just a question of a few months, I would not have any argument about it; but this amendment has been put in in an unlimited way. That is what we object to—that it is unlimited as to time.

Mr. WADSWORTH. All right; I am willing to accept a limitation.

Mr. LADD. Mr. President——

Mr. WADSWORTH. Mr. President, I should like just to make an observation about this general proposition. May I make just an observation?

Mr. LADD. If I may answer it.

Mr. WADSWORTH. Senators from the Northwest seem to think that the people of the State of New York, especially the people of the city of New York, and so-called Wall Street, that is dragged in here by the heels every time anybody gets a chance to mention the State——

Mr. NORBECK rose.

Mr. WADSWORTH. Now, just a moment.

Mr. NORBECK. I want to ask the Senator just one question.

Mr. WADSWORTH. No; I am making a statement. I will answer any questions later.

Mr. NORBECK. All right.

Mr. WADSWORTH. Senators from the Northwest, as I was about to say, seem to think that we are opposed to a St. Lawrence canal on the theory that it will hurt the port of New York. That is nonsense. You can girdle this continent with canals, and you can not hurt the port of New York. You may build up other ports, you may establish industries elsewhere and commercial centers elsewhere, but no work of man can decrease the tonnage and the commerce of the city and harbor of New York. God made that harbor supreme above all harbors in the world, connected with the interior of the continent by a low-gradient line of railroads. You can build canals and build railroads until you are black in the face, but you can not hurt the harbor of New York. We do not fear it a bit. If you will show us where a canal anywhere in this country will make transportation cheaper for some considerable portion of the country where men will sail their vessels economically, and carry the cargoes of American agriculture and industry, we will never protest. All we will ever ask you is to show us whether or not your proposed canals, no matter where they are, can be economically operated, whether they will attract and hold traffic. Our only reason for asking that is that we can not help remembering in New York that for every dollar that is spent by the Federal Government we contribute 27 cents. That is the only consideration we have. That is all.

Mr. NORBECK. I think the Senator is unduly exercised about what the West thinks about New York.

Mr. WADSWORTH. Well, we hear so much of it here. How can the Senator blame me if I do protest? What is the sense of dragging Wall Street into this?

Mr. NORBECK. Who mentioned Wall Street here?

Mr. WADSWORTH. The Senator from North Dakota [Mr. LADD].

Mr. NORBECK. I am sure I did not.

Mr. WADSWORTH. It is the same old story of provincial prejudice, and I protest against it.

Mr. NORBECK. Oh, the West may be provincial——

Mr. BRUCE. Mr. President, may I interrupt the Senator from New York for just a moment?

The PRESIDENT pro tempore. Does the Senator from New York yield to the Senator from Maryland?

Mr. WADSWORTH. I yield.

Mr. BRUCE. I should like to ask the Senator whether he was so fortunate as to hear the statement of Dr. Kate Waller Barrett, who has just died, in the Democratic national con-

vention in New York last summer, that Wall Street was just as much a part of the United States as Main Street in Alexandria. [Laughter.]

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

Mr. WADSWORTH. I yield for a question.

Mr. LADD. The Senator suggested that the date was too early. I am perfectly willing to change my amendment so that it shall read "May 1, 1926."

Mr. WADSWORTH. Very well; that is satisfactory so far as I am concerned.

Mr. LADD. I ask that it be changed in that way.

Mr. COPELAND. I am perfectly willing to have that done. I am glad, indeed, to have a date fixed.

Mr. WADSWORTH. If it is agreeable to the Senator from Washington [Mr. JONES]. Of course, he is in charge of the bill.

Mr. JONES of Washington. The Senator from Washington has no objection at all.

Mr. BROOKHART. Mr. President, I desire to say that recently I made quite a thorough study of these different surveys in connection with the proposed Lakes-to-the-Gulf waterway from Chicago, and the proposition to make a canal all through the State of New York is quite as feasible as the other proposition. It may be that it will cost a little more and be open a little greater period of the year. It will all be on American soil and under American control, and it is not a thing that anybody from the West will condemn when he knows the facts about it. I do not think the Senator from North Dakota will criticize it when he understands those surveys that have already been made by the Government.

The only criticism I had of it was that some Wall Streeters wanted a charter from Congress, as they presented it to me, to turn over to them the water power, and they would furnish all the money to build it. I thought if there was enough water power developed there for that purpose it would be a good thing for the Government to keep it for all the people.

Mr. WADSWORTH. I can assure the Senator that the laws of the State of New York would not permit any such thing.

Mr. BROOKHART. The laws of the State of New York would not have anything to do with the water power from Lake Erie to Lake Ontario, I presume.

Mr. WADSWORTH. Well, I should hope they would. Does the Senator say from Lake Erie to Lake Ontario?

Mr. NORBECK. Yes; in a canal. The Government would try to regulate that, I presume.

Mr. WADSWORTH. The transmission of power certainly would be under the laws of the State of New York. The control of any corporation organized to transmit that power would be exercised by the State of New York, and it would have to be chartered by the State of New York. We have not yet given up all self-rule in that State.

Mr. BROOKHART. The proposition that was brought to me by the engineers representing New York parties was that they would build the canal and furnish the entire funds if they could get a grant of the water power. So far as the building of it is concerned, it seemed entirely feasible from the showing; and most of that was based on old Government surveys that had been made through there years ago.

Mr. COPELAND. Mr. President, we are all agreed, now, that the amendment should be changed to the 1st of May, 1926.

The PRESIDENT pro tempore. The question is upon agreeing to the amendment proposed by the Senator from North Dakota [Mr. LADD]. The amendment can not be changed by the suggestion of the Senator from New York. It must be changed, if at all, by the Senator from North Dakota.

Mr. LADD. Mr. President, I asked that it be changed to read "May 1, 1926."

The PRESIDENT pro tempore. The question is upon agreeing to the amendment, as modified.

The amendment, as modified, was agreed to.

The bill was reported to the Senate as amended.

The PRESIDENT pro tempore. The question is upon concurring in the amendments made as in Committee of the Whole.

Mr. JONES of Washington. Mr. President, I ask for a separate vote on concurring in the amendment made as in Committee of the Whole proposed by the Senator from Arizona [Mr. CAMERON], with reference to the Yuma project on the Colorado River. I hope that vote will be taken separately.

Mr. GOODING. Mr. President, before that vote is taken I desire to suggest the absence of a quorum.

The PRESIDENT pro tempore. Let us have an understanding about the reservation of the Senator from Washington. The Senator from Washington asks for a separate vote upon the amendment proposed by the Senator from Arizona [Mr. CAMERON]. Is the Chair right?

Mr. JONES of Washington. Yes. The other amendments may be concurred in, in block.

Mr. GOODING. I understand that the Senator from Arizona [Mr. CAMERON] will be here in a minute. I do not think we should go on with this vote in his absence.

Mr. JONES of Washington. Can we not dispose of the other amendments?

Mr. GOODING. Yes.

Mr. CAMERON entered the Chamber.

Mr. JONES of Washington. Here is the Senator from Arizona now.

The PRESIDENT pro tempore. The Chair understands that reservations need only be made with respect to amendments that were agreed to as in Committee of the Whole. The rule does not relate to amendments which have been defeated.

Mr. JONES of Washington. This amendment was adopted as in Committee of the Whole.

The PRESIDENT pro tempore. So, without objection, with the exception named by the Senator from Washington, the amendments agreed to as in Committee of the Whole will be concurred in in the Senate.

Mr. JONES of Washington. Mr. President, I hope we may have a vote on the amendment of the Senator from Arizona [Mr. CAMERON] agreed to as in Committee of the Whole.

The PRESIDENT pro tempore. The question is on concurring in the amendment proposed by the Senator from Arizona, which was agreed to as in Committee of the Whole.

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

The PRESIDENT pro tempore. The Secretary will call the roll.

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

Ashurst	Edge	Kendrick	Robinson
Ball	Ernst	Keyes	Sheppard
Bayard	Fernald	King	Shipstead
Bingham	Ferris	Ladd	Shortridge
Borah	Fess	McKellar	Simmons
Brookhart	Fletcher	McKinley	Smith
Broussard	Frazier	McNary	Smoot
Bruce	George	Means	Spencer
Bursum	Gooding	Metcalf	Stanfield
Butler	Hale	Moses	Stephens
Cameron	Harreld	Norbeck	Sterling
Capper	Harris	Oddie	Swanson
Caraway	Harrison	Overman	Trammell
Copeland	Heflin	Owen	Wadsworth
Cummins	Howell	Pepper	Walsh, Mass.
Curtis	Johnson, Calif.	Ralston	Watson
Dale	Johnson, Minn.	Ransdell	Wheeler
Dial	Jones, N. Mex.	Reed, Mo.	Willis
Dill	Jones, Wash.	Reed, Pa.	

The PRESIDENT pro tempore. Seventy-five Senators have answered to the roll call. There is a quorum present.

The question is, Will the Senate concur in the amendment proposed by the Senator from Arizona, and agreed to as in Committee of the Whole?

Mr. ASHURST. Mr. President, I hope this amendment will be retained. Here are the facts. In the development of the Yuma Federal irrigation project Arizona-California, it became necessary to protect the project from the flood waters of the Colorado River by means of levees along its eastern shore. These were constructed at an expense of $2,715,952.51 and have since been maintained at an expense of $597,088 and upward. These costs have been charged to the reclamation fund and appear as a part of the cost of the Yuma project.

At the point where the levees are located, the Colorado River is navigable, and the expense of such levee work and of its maintenance should be charged against the Government rather than against the project and the water users thereunder. A similar work, known as the Ockerson Levee, was built in 1917 by the Government on the western bank of the river to protect property in Imperial Valley, Calif., at a cost of $800,000. This cost was paid by the Government and was not charged to landowners in Imperial Valley.

The amendment before us does not affect the item of construction cost, but would reimburse the reclamation fund in the sum of $597,088 heretofore expended for operating and maintaining the levees, and would provide for payment after the end of the current fiscal year of the annual operation and maintenance expense of these levees through a cooperative arrangement between the United States, the State of Arizona, the State of California, the county of Yuma, and the Yuma project.

The so-called fact finding commission, viz, the Committee of Special Advisers on Reclamation, recommended this legisla-

tion in the following language, which will be found on page 158 of the report of the Committee of Special Advisers on Reclamation:

That the levee system be regarded as a public work of the United States, similar in character to other protection works built under the rivers and harbors act along navigable streams, because the United States holds that the Colorado River is a navigable stream, and in pursuance of that holding the Government has built protection works at Yuma and a levee on the California side of the stream in Mexico, known as the Ockerson Levee, at an expenditure of $1,000,000. These have been treated as improvements under the rivers and harbors act, no charge for repayment having been made against anyone.

The committee recommends, therefore, that legislation be secured under which the expenditure for the construction, operation, and maintenance of these levees by the reclamation fund shall be treated as an expenditure of the General Government, similar to expenditures under the rivers and harbors act, and that the reclamation fund be reimbursed by an appropriation equal to the amount of this expenditure.

The committee recommends that expenses incurred in the maintenance and operation of the levee system to be provided for under some cooperative agreement between the States of California and Arizona and the War Department, similar to other cooperative agreements for the maintenance of levees on the Mississippi and other rivers, and that no part of this cost be included in the operation and maintenance expenses of this project.

Mr. President, this amendment is just and fair. On the evening of June 5, 1924, I offered practically this same proposed legislation as an amendment to the deficiency appropriation bill, and it was adopted by the almost unanimous vote of the Senate, but later it was abandoned by the conferees. The Senate, therefore, has practically committed itself to this proposition, and I hope it will be retained in this bill.

It is unjust and unfair to require the farmers, landowners, and water users of the Yuma project to bear this heavy burden. The Colorado River is the most flashy and temperamental river in America. At its high tide or high current its cutting edge, below Yuma, tears away the farming lands like a giant with steel claws.

Relief has already been too long delayed. Let us retain the amendment.

Mr. CAMERON. Mr. President, my colleague has ably discussed the amendment and I do not think it necessary to take much of the time of the Senate. The bill now pending before the Senate I believe is a meritorious bill. It is known as the rivers and harbors bill. There is no item in the bill that has more merit in it than the amendment which I have offered and which was received by the Senate yesterday in Committee of the Whole. I would dislike to think, Mr. President, yes, I would hate to think that the Senate of the United States, after having voted favorably on this in Committee of the Whole, would by its vote, now that the bill is in the Senate, reject the amendment. As has been so ably stated by my colleague and as I attempted to say in the few feeble remarks which I made on yesterday, there is no one item in the river and harbor bill that has the merit that the amendment has upon which we are now addressing the Senate.

The people at Yuma, as I said yesterday, obligated themselves to the Government of the United States to the extent of $75 per acre. That was a guarantee that they agreed they would pay to the Government in order that the Government would advance them money to put in what is known as the Laguna irrigation project. On the other side of the river, in southern California, is what is known as the Imperial Valley project, one of the greatest irrigation projects to be found anywhere in the United States, and one of the most successful. Unfortunately they had to go into Mexico to take out their intake, and it was necessary to carry the ditch back through Mexico and into the United States to convey the water into the Imperial Valley. Our Government, the Government of the United States, went on the west side of the Colorado River and erected a rock-filled dam to protect the intake for the Imperial Valley settlers, and in doing so they caused a condition to arise which no one thought about at the time. The flood waters of the Colorado River come down in torrents. In line with what my colleague has stated, I have seen the Colorado River rise in three days in the Grand Canyon of the Colorado to the extent of 67 feet. That body of water coming down through that box canyon, turning itself loose on the level land below created such a condition that nothing but a stone wall permanently built would turn it. Such a wall was built, and it turned the flow of water from the west bank of the Colorado River to the east bank, and naturally it overflowed those lands on which the settlers had guaranteed to pay the Government $75 an acre as I have described. Those people had expended up to October, 1924, the sum of $615,769.

Is it possible that by the vote of the Senate against a proposition of this kind that situation is going to be allowed to exist? For the last 60 years that river has been navigable as far as old Fort Yuma. Old Fort Yuma was the place where all the supplies were brought in from San Francisco and the Pacific coast in the early days before we had railroads in Arizona, and were transported by ox teams and mule teams from the Colorado River near Yuma up into the interior of the State of Arizona.

Mr. President, I wish to impress, if possible, upon the Senate how very important the amendment is to the people on the Yuma project on the Colorado River, and should this money be restored to them, how great the relief will be to them. They have obligated themselves to the Government of the United States, as I before stated and again repeat, to the extent of $75 per acre; but in addition to that, in order to protect themselves against a Government operation, they have been obliged to assume a burden which amounts now to about $650,000. That is as near to the correct estimate as anyone can get at this time.

I can not for the life of me believe that this amendment will be rejected when the Senate is about to pass on the river and harbor bill. I am for the bill, because I do not believe that we are spending money enough to protect the rivers and harbors of this great country of ours.

I believe the United States can afford to expend a billion dollars to develop its waterways and its rivers and harbors, and I believe the money would be well spent. I can not understand how anyone can object when a Senator comes here and proposes to pay back to these worthy farmers what they have had to put up in order to protect their lands from the overflow of the Colorado River. I can not possibly understand why objection should be made to that. I sincerely hope and pray that the Senate of the United States will in this instance do one of the just acts of this session, and that it will vote to sustain the amendment and keep it in the river and harbor bill.

Senators will remember that the people there are watching our every movement. They have a right to have their cry heeded and to be repaid for their disbursements up to the present time, made necessary because of the Government, and I sincerely hope that the Senate will do justice to the people whom my colleague, the senior Senator from Arizona [Mr. ASHURST], and I are here trying to represent.

Mr. JONES of New Mexico. Mr. President, I should like to say just a word. It seems to me that this amendment carries with it just as much merit as any provision in the pending river and harbor bill. I recall very well when I was acting in another official capacity obtaining information regarding the Colorado River and its rampages. I do not want to detain the Senate, but I wish to say I believe the Government ought to pay this expense precisely as it pays the expense of the levees of the Mississippi River. Those levees are constructed in order to protect the adjacent lands, and the levees on the Colorado are constructed for precisely the same purpose. This provision is recommended by the Interior Department, which has supervision of this whole project. That would not be done until after a complete analysis and digest of the information had been made. I sincerely hope that Senators will vote for this amendment.

I recall that years ago the Southern Pacific Railroad Co. expended a million dollars in order to protect the surrounding country from the ravages of this river. I do not know that it has ever been repaid for doing that, but if it has not it should be done. I know that when I went into the Interior Department that that was one of the things which was recommended to be done; whether it was or not I do not know; but I sincerely believe that it is just as much the province of this Government to maintain the levees of the Colorado River and protect the settlers and irrigation projects along that stream as it is to build levees along the Mississippi to protect the settlers in the valley of the Mississippi.

Mr. JONES of Washington. Mr. President, I shall say but a few words. This amendment carries about one-quarter of the entire amount placed on this bill by the committee. We felt that in order to secure the enactment of the bill we must keep the amount appropriated in the neighborhood of $40,000,000. In a way, we have been admonished that we must take that into account. This amendment proposes to add almost a million dollars to the bill. It deals with a matter that is not usually dealt with in river and harbor bills. Flood control and similar items are usually dealt with separately.

I have no question about the merits of the proposition, considering it in the way that it should really be considered and dealt with. It has passed the Senate twice, and so I do not make any question with reference to its merits. There is a question, however, as to its advisability, as to what we should do with it in connection with this bill.

I simply seek to get the expression of the Senate with reference to it. I will abide by that decision.

As I said the other night, I do not care to take an amendment to conference with the idea of merely taking it there in order to get rid of it on the floor of the Senate, and then receding right away; but if the Senate adopts the amendment, then I shall take it as an instruction to do all I possibly can to hold it in the bill; and that I expect to do. I want the Senate to realize the full import of the action when it votes upon it. Now, I ask for the yeas and nays on the adoption of the amendment.

The PRESIDENT pro tempore. The question is on concurring in the amendment made as in Committee of the Whole. On that question the yeas and nays have been demanded.

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

Mr. FLETCHER. Mr. President, will the Chair state the question?

The PRESIDENT pro tempore. The roll call has begun.

Mr. FLETCHER. I know, but I merely want the Chair to state the question.

The PRESIDENT pro tempore. The question is, Will the Senate concur in the amendment made as in Committee of the Whole, proposed by the Senator from Arizona [Mr. CAMERON]? The Secretary will continue the calling of the roll.

The Chief Clerk resumed the calling of the roll.

Mr. KING (when his name was called). I have a general pair with the senior Senator from Tennessee [Mr. SHIELDS]. Not knowing how he would vote on this question, I withhold my vote.

Mr. McKINLEY (when his name was called). I have a pair with the junior Senator from West Virginia [Mr. NEELY]. Not knowing how he would vote on this question, I withhold my vote.

Mr. OVERMAN (when his name was called). I have a general pair with the senior Senator from Wyoming [Mr. WARREN]. I transfer that pair to the junior Senator from Texas [Mr. MAYFIELD], and will vote. I vote "nay."

Mr. WHEELER (when his name was called). On this question I am paired with the Senator from Maryland [Mr. BRUCE]. If he were present, he would vote "nay" and I would vote "yea." I transfer that pair to my colleague [Mr. WALSH of Montana] and vote "yea."

The roll call was concluded.

Mr. ERNST. I have a general pair with the senior Senator from Kentucky [Mr. STANLEY]. Not knowing how he would vote, I refrain from voting. If at liberty to vote, I would vote "yea."

The result was announced—yeas 35, nays 34, as follows:

YEAS—35

Ashurst	Dill	Jones, N. Mex.	Shipstead
Bayard	Fernald	Kendrick	Shortridge
Borah	Ferris	Keyes	Stanfield
Brookhart	Frazier	Ladd	Sterling
Bursum	Gooding	Means	Walsh, Mass.
Cameron	Harreld	Metcalf	Watson
Capper	Howell	Norbeck	Weller
Cummins	Johnson, Calif.	Oddie	Wheeler
Dale	Johnson, Minn.	Pittman	

NAYS—34

Ball	Fletcher	Moses	Smith
Bingham	George	Overman	Spencer
Broussard	Hale	Ralston	Stephens
Butler	Harris	Ransdell	Swanson
Caraway	Harrison	Reed, Mo.	Trammell
Curtis	Heflin	Reed, Pa.	Wadsworth
Dial	Jones, Wash.	Robinson	Willis
Edge	McKellar	Sheppard	
Fess	McNary	Simmons	

NOT VOTING—27

Bruce	Gerry	McLean	Shields
Copeland	Glass	Mayfield	Smoot
Couzens	Greene	Neely	Stanley
Deneen	King	Norris	Underwood
Edwards	La Follette	Owen	Walsh, Mont.
Elkins	Lenroot	Pepper	Warren
Ernst	McKinley	Phipps	

So the amendment made as in Committee of the Whole was concurred in.

The PRESIDENT pro tempore. The bill is still in the Senate and open to amendment. If there be no further amendment to be proposed in the Senate, the question is, Shall the amendments be engrossed and the bill be read a third time?

The amendments were ordered to be engrossed, and the bill was read the third time.

Mr. HOWELL. I ask for the reading of the text of the bill.

The PRESIDENT pro tempore. The Senator from Nebraska asks that the entire bill be read at this time.

Mr. ROBINSON. To that demand I make the point of order that the reading of the bill is not in order.

The PRESIDENT pro tempore. The Chair sustains the point of order. The question now is, Shall the bill pass?

The bill was passed.

Mr. JONES of Washington. I move that the Senate insist upon its amendments and ask for a conference with the House of Representatives on the bill and amendments, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. JONES of Washington, Mr. FERNALD, and Mr. FLETCHER conferees on the part of the Senate.

Mr. JONES of Washington subsequently said: Mr. President, it has been suggested that we should have five conferees on the river and harbor bill. I ask unanimous consent that that may be done and that the Chair appoint two additional conferees.

The PRESIDENT pro tempore. Is there objection to changing the number of conferees? The Chair hears none, and appoints the Senator from Oregon [Mr. MCNARY] and the Senator from Louisiana [Mr. RANSDELL] further conferees on the part of the Senate.

SETTLEMENT ON GOVERNMENT LAND IN IRRIGATION PROJECTS

Mr. SMOOT. Mr. President, a short time ago I asked for the reconsideration of the votes by which Senate bill 4151 was passed, and that the House be requested to return the bill. That was agreed to by the Senator introducing the bill, but at the same time he asked that when that was done he be allowed to make a statement. I ask that the Senator be allowed to make that statement now.

Mr. KENDRICK. Mr. President, inasmuch as the Senate has acted in favor of reconsidering the votes by which this bill was passed, I desire to say just a word about it.

The bill that it is now planned to reconsider has the sanction, if not the actual support, of the Secretary of the Interior. It is a bill the enactment of which is earnestly desired by the Director of Reclamation. It has been found, as will be shown by the report, that the bill is not in conflict with the President's financial policy, and therefore, in almost every sense of the word, it is a departmental bill.

Under no stretch of the imagination are the provisions of the bill experimental. They have been tried out in from 15 to 18 different countries and proved successful in the settlement of land by men who own and live upon the land. In no single country where this plan has ever been tried has it failed.

I have not as a result of this action lost the least bit of faith in the merits of this bill; but I am not only willing but anxious that any bill that I propose here shall be fought out in the open and subjected to the fairest and fullest discussion. Therefore I am perfectly willing to defer action on the bill until the Congress meets again, and I offer no objection to its reconsideration.

NATIONAL BANKING ASSOCIATIONS AND FEDERAL RESERVE SYSTEM

Several Senators addressed the Chair.

The PRESIDENT pro tempore. The Chair feels that it is his duty to lay before the Senate the unfinished business, which is House bill 8887.

The Senate, as in Committee of the Whole, resumed the consideration of the bill (H. R. 8887) to amend an act entitled "An act to provide for the consolidation of national banking associations," approved November 7, 1918, to amend section 5136 as amended, section 5137, section 5138 as amended, section 5142, section 5150, section 5155, section 5190, section 5200 as amended, section 5202 as amended, section 5208 as amended, section 5209, section 5211 as amended of the Revised Statutes of the United States, and to amend sections 13 and 24 of the Federal reserve act, and for other purposes.

Mr. PEPPER. Mr. President——

The PRESIDENT pro tempore. The Senate will receive a message from the House of Representatives.

MESSAGE FROM THE HOUSE

A message from the House of Representatives, by Mr. Farrell, its enrolling clerk, announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes; that the House had receded from its disagreement to the amendments of the Senate Nos. 43

and 44 to the said bill; that the House receded from its disagreement to the amendments of the Senate Nos. 27, 30, 34, 38, and 50, and concurred therein severally with an amendment, and that the House insisted upon its disagreement to the amendment of the Senate No. 37.

The message also announced that the House had passed the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, with an amendment, in which it requested the concurrence of the Senate.

The message further announced that the House had passed the following bills each with amendments, in which it requested the concurrence of the Senate:

S. 3633. An act to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes; and

S. 4289. An act authorizing the construction of a bridge across the Colorado River near Blythe, Calif.

The message further announced that the House had agreed to the report of the committee of conference on the disagreeing votes of the two Houses on the amendment of the Senate to the bill (H. R. 5722) authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and the development of commercial aeronautics, and for other purposes.

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

H. R. 12129. An act authorizing the Crow Tribe of Indians of Montana to submit claims to the Court of Claims;

H. R. 12156. An act extending the time for repayment of the revolving fund for the benefit of the Crow Indians;

H. R. 12405. An act granting the consent of Congress to the city of Rockford, in the county of Winnebago and State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Rock River;

H. R. 12264. An act granting the consent of Congress to the State of Minnesota and the counties of Sherburne and Wright to construct a bridge across the Mississipi River;

H. R. 11540. An act making a grant of land for school purposes, Fort Shaw division, Sun River project, Montana;

H. R. 12262. An act for the relief of certain enlisted men of the Coast Guard;

H. R. 12308. An act to amend the World War veterans' act, 1924;

H. J. Res. 294. Joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa;

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan certain horses, bridles, saddles, and saddle blankets to the thirty-sixth triennial conclave committee of Knights Templar for use at the thirty-sixth triennial conclave Knights Templar of the United States to be held at Seattle, Wash., in July, 1925; and

H. J. Res. 375. Joint resolution authorizing and directing the Secretary of Agriculture to waive one-half of the grazing fees for the use of the national forests during the calendar year 1925.

INTERIOR DEPARTMENT APPROPRIATIONS

Mr. SMOOT. I ask the Chair to hand down the message from the House of Representatives on the Interior Department appropriation bill.

The PRESIDENT pro tempore laid before the Senate the action of the House of Representatives receding from its disagreement to the amendments of the Senate Nos. 43 and 44 to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes; receding from its disagreement to the amendments of the Senate Nos. 27, 30, 34, 38, and 50, and concurring therein severally with an amendment; and insisting on its disagreement to the amendment of the Senate No. 37.

Mr. McKELLAR. Will the Senator explain just what this is?

Mr. SMOOT. I can explain it in a moment. There are three items in disagreement. I move that the Senate insist on its amendments, ask for a further conference with the House, and that the Chair appoint the conferees on the part of the Senate.

The motion was agreed to; and the President pro tempore appointed Mr. SMOOT, Mr. CURTIS, and Mr. HARRIS conferees on the part of the Senate at the further conference.

AMENDMENT TO PRINTING ACT

Mr. MOSES. I ask the Chair to lay before the Senate the message from the House of Representatives relating to Senate bill 3633.

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 3633) to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes, which were, on page 2, to strike out lines 9 to 12, inclusive, and insert:

SEC. 2. (a) That the Director of the Census shall cause to be compiled, edited, indexed, and published, on or before the first Monday in October of each year an Official Register of the United States which shall contain a full and complete list of all persons occupying administrative and supervisory positions in each executive and judicial department of the Government, including the District of Columbia, in connection with which salaries are paid from the Treasury of the United States. The register shall show the name; official title; salary, compensation, and emoluments; legal residence and place of employment for each person listed therein: *Provided, however,* That the Official Register shall not contain the name of any postmaster, assistant postmaster or officer of the Army, Navy, and Marine Corps.

(b) To enable the Director of the Census to compile and publish the Official Register of the United States, the Executive Office, the judiciary, the Commissioners of the District of Columbia, and the head of each executive department, independent office, establishment, and commission of the Government shall, as of the 1st day of July of each year, supply to the Director of the Census the data required by this section, upon forms approved and furnished by him, in due time to permit the publication of the Official Register as herein provided; and no extra compensation shall be allowed to any officer, clerk, or employee of the Bureau of the Census for compiling the Official Register.

(c) Of the Official Register there shall be printed and bound a sufficient number of copies for the following distribution to be made by the Superintendent of Documents: To the President of the United States, 4 copies, 1 copy of which shall be for the library of the Executive Office; to the Vice President of the United States, 2 copies; to each Senator, Representative, Delegate, and Resident Commissioner in Congress, 3 copies; to the Secretary and Sergeant at Arms of the Senate and to the Clerk, the Sergeant at Arms, and the Doorkeeper of the House, 1 copy each; to the library of the Senate and the House, each, not to exceed 15 copies; to the Library of Congress, 25 copies; and to the Commissioners of the District of Columbia, 10 copies. The usual number of the Official Register shall not be printed.

(d) That section 510 of the Revised Statutes of the United States, and all acts or parts of acts amendatory thereof or supplemental thereto, be, and the same are hereby, repealed; on page 3, to strike out lines 9 to 18 inclusive; on page 3, after line 18, to insert:

"DISTRIBUTION OF CONGRESSIONAL DOCUMENTS AND REPORTS

"SEC. 6. That hereafter, in the printing of House and Senate numbered documents and reports, there shall be distributed, unbound, to the House document room not to exceed 500 copies"; and on page 3, after line 18, to insert:

"PUBLICATIONS FOR LIBRARY OF CONGRESS

"SEC. 7. That hereafter there shall be printed and delivered to the Library of Congress for its own use and for international exchange 125 copies in lieu of the number now provided by law."

Mr. MOSES. I move that the Senate concur in the amendments made by the House of Representatives.

The motion was agreed to.

RELIEF OF CERTAIN ENLISTED MEN OF COAST GUARD

The PRESIDENT pro tempore. The Chair lays before the Senate a bill from the House of Representatives.

The bill (H. R. 12262) for the relief of certain enlisted men of the Coast Guard was read twice by its title.

Mr. JONES of Washington. A Senate bill identical with that passed the Senate three or four days ago and I ask that this House bill may be put on its passage.

There being no objection, the bill was considered as in Committee of the Whole, and it was read as follows:

Be it enacted, etc., That the accounting officers of the Government are authorized and directed to allow in the settlement of the accounts of disbursing officers of the Government all payments of enlistment allowances made by them to honorably discharged enlisted men of the Navy who enlisted in the Coast Guard within a period of three months from the date of discharge from the Navy, between July 1, 1922, and January 20, 1925.

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

COLORADO RIVER BRIDGE, CALIFORNIA

The PRESIDENT pro tempore laid before the Senate the amendments of the House of Representatives to the bill (S. 4289) authorizing the construction of a bridge across the Colorado River near Blythe, Calif., which were on page 1, line 10, after "1906," to insert: "*Provided*, That the location, design, plans, and specifications for said bridge shall first be submitted to and approved by the highway departments of the States of Arizona and California as being safe and sufficient from the standpoint of the traffic which will pass thereover"; on page 1, after line 10, to insert:

SEC. 2. The States of Arizona and California, or either thereof, or any political subdivision or divisions thereof, may jointly or severally, at any time after five years from the completion of said bridge, take over and acquire the complete ownership thereof at a price to be mutually agreed upon by the owner thereof and such State or States or subdivision or divisions thereof, or at a price to be determined by condemnation proceedings in accordance with the general laws of the State of Arizona or the State of California governing the acquisition of private property for public purposes by condemnation, or at a price to be fixed by such other method as may be provided by law: *Provided*, That if such bridge shall be acquired by the said States or either thereof, or by any political or other subdivision or divisions thereof, by condemnation or other legal proceedings in accordance with the general laws governing the acquisition of private property for public purposes, in determining the measure of damages or compensation to be paid for the same there shall not be included any credit or allowance for good will, going value, or prospective revenues or profits, but the same shall be limited to an amount not exceeding the cost of constructing such bridge and approaches thereto, including interest and other charges incidental to any necessary loans made in connection with financing such construction, engineering services, necessary contingent expenses, actual and necessary betterments and improvements, less a reasonable deduction for actual depreciation: *Provided further*, That if such bridge shall be acquired or taken over by the States of Arizona and California, or either of them, or by any political subdivision or divisions thereof, in accordance with the provisions of this act, the same may be operated by such State or States or political subdivision or divisions thereof as a toll bridge for a period of not to exceed five years from the date of the acquisition thereof, after which time it shall be and remain a free bridge.

And on page 1, line 11, to strike out "2" and insert "3."

Mr. SHORTRIDGE. I move that the Senate concur in the amendments made by the House.

The motion was agreed to.

HOUSE BILLS AND JOINT RESOLUTIONS REFERRED

The following bills and joint resolutions of the House were severally read twice by their titles, and referred as indicated below:

H. R. 12129. An act authorizing the Crow Tribe of Indians of Montana to submit claims to the Court of Claims; and

H. R. 12156. An act extending the time for repayment of the revolving fund for the benefit of the Crow Indians; to the Committee on Indian Affairs.

H. R. 12405. An act granting the consent of Congress to the city of Rockford, in the county of Winnebago, and State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Rock River; and

H. R. 12264. An act 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; to the Committee on Commerce.

H. R. 11540. An act making a grant of land for school purposes, Fort Shaw Division, Sun River project, Montana; to the Committee on Public Lands and Surveys.

H. R. 12308. An act to amend the World War veterans' act, 1924; to the Committee on Finance.

H. J. Res. 294. Joint resolution extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa; to the Committee on Foreign Relations.

H. J. Res. 359. Joint resolution authorizing the Secretary of War to loan certain horses, bridles, saddles, and saddle blankets to the thirty-sixth triennial conclave committee of Knights Templar for use at the Thirty-sixth Triennial Conclave Knights Templar of the United States, to be held at Seattle, Wash., in July, 1925; to the Committee on Military Affairs.

EXTENSION OF TIME IN CIVIL SUITS

The PRESIDENT pro tempore laid before the Senate the amendment of the House of Representatives to the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, which was, on page 1, line 7, to strike out "six" and insert "four."

Mr. SHORTRIDGE. I move that the Senate concur in the House amendment, but if Senators desire me to do so I can explain it.

Mr. ROBINSON. Let us have order in the Chamber, so that we may hear the Senator from California.

The PRESIDENT pro tempore. The Senate will be in order.

Mr. SHORTRIDGE. Mr. President, this bill set out to amend section 51 of chapter 4 of the Judicial Code as it was amended by the act of September 19, 1922. Section 51 of chapter 4, before the amendment by way of the act of 1922, related to civil actions or proceedings in the Federal courts. The act of September, 1922, amended the old section in respect to certain jurisdictional matters and contained a proviso as to the time of duration of amendments to the original act. The act of September 19, 1922, was passed for the purpose, chiefly, of enabling the Government, in actions or proceedings contemplated, to gain jurisdiction over defendants resident, it might be, in different States, or indeed, out of the country.

That act provided that the amendments to section 51 should continue for three years. So those provisions of that act would expire by limitation September 19, 1925.

The bill as it passed the Senate extended the time by way of amending the old law, and we sought to do so by striking out the word "three" and inserting the word "six."

Mr. ROBINSON. What class of cases would be affected by this bill should it become the law?

Mr. SHORTRIDGE. Civil actions or proceedings which might be commenced by the Government in respect to alleged frauds committed on the Government. The Senator from Arkansas will remember the discussions and the reasons for enacting the law of September 19, 1922. We sought to amend the last proviso in this act by striking out the word "three" and inserting the word "six," so that the provisions referred to should continue in effect until September 19, 1928. The House amends by inserting "four" instead of "three," so that those provisions will continue in effect until September 19, 1926.

Mr. ROBINSON. I have no objection to concurring in the amendment of the House of Representatives.

The PRESIDENT pro tempore. The question is on the motion of the Senator from California that the Senate concur in the House amendment.

The motion was agreed to.

Mr. SHORTRIDGE. I offer the concurrent resolution which I send to the desk, and I ask for its present consideration.

The PRESIDENT pro tempore. The Senator from California presents a concurrent resolution, which will be read.

The concurrent resolution (S. Con. Res. 37) was read, as follows:

Resolved by the Senate (the House of Representatives concurring), That the Secretary of the Senate be, and he is hereby, authorized and directed in the enrollment of the bill (S. 3913) to extend for an additional period of three years the effective period of the act entitled "An act to amend section 51 of chapter 4 of the Judicial Code," approved September 19, 1922, and an act entitled "An act to amend section 876 of the Revised Statutes," approved September 19, 1922, to strike out in the first line of the title the words "three years" and insert in lieu thereof the words "one year," so that the title may conform to the amendment made by the House of Representatives to the text of the bill and agreed to by the Senate.

The PRESIDENT pro tempore. Without objection, the concurrent resolution is agreed to.

THE ELECTION OF THE PRESIDENT OF THE UNITED STATES BY THE HOUSE OF REPRESENTATIVES

Mr. JONES of New Mexico presented a paper prepared by the legislative reference service of the Library of Congress entitled "The Election of the President of the United States by the House of Representatives," which was referred to the Committee on Printing with a view to its being printed as a document.

NINE-FOOT CHANNEL FROM GREAT LAKES TO GULF

Mr. REED of Pennsylvania submitted the following resolution (S. Res. 352), which was referred to the Committee to Audit and Control the Contingent Expenses of the Senate:

Resolved, That Senate Resolution 411, agreed to January 23, 1923, authorizing the appointment of a committee to investigate the problem of a 9-foot channel in the waterway from the Great Lakes to the Gulf of Mexico, is hereby continued in full force and effect during the Sixty-ninth Congress.

AMENDMENT OF PROHIBITION ACT

Mr. STERLING. Mr. President, I ask unanimous consent that the Senate proceed to the consideration of Order of Business 1114, House bill 6645, to amend the national prohibition act, to provide for a bureau of prohibition in the Treasury Department, and to define its powers and duties. This is what is known as the Cramton bill.

Mr. KING. I object.

The PRESIDENT pro tempore. The Senator from South Dakota asks unanimous consent that the Senate proceed to the consideration of what is known as the Cramton bill. Is there objection?

Mr. REED of Missouri. And the Senator from Missouri objects.

The PRESIDENT pro tempore. Objection is made.

Mr. STERLING. I move, then, that the Senate proceed to the consideration of the bill.

The PRESIDENT pro tempore. The Senator from South Dakota moves that the Senate proceed to the consideration of the bill just mentioned by the Chair.

Mr. KING. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator will state the inquiry.

Mr. KING. The parliamentary inquiry is, Is the motion made by the Senator from South Dakota debatable?

The PRESIDENT pro tempore. It is.

Mr. REED of Missouri. Mr. President——

Mr. STERLING. Mr. President, I simply want to state that if the motion prevails to lay this bill before the Senate and take it up I shall then ask that it be temporarily laid aside. I do not expect to proceed with the discussion of the bill to-night.

Mr. REED of Missouri. Mr. President, suppose, then, that we settle on Monday the question of whether it shall be made the unfinished business.

Mr. STERLING. No, Mr. President——

Mr. REED of Missouri. The Senator says he does not intend to proceed now; that he intends to allow the matter to go over until Monday. If that is his intention, the only thing that could be obtained now by forcing a vote upon this motion would be to have the right of way on Monday; and, with the congested condition of the business of the Senate, the Senate should not tie its hands by the agreement to take up any particular bill on Monday morning.

I am going to be frank with the Senator. If he wants to discuss this bill all night, we will stay here and discuss it, but it would be merely a useless waste of time and energy. This bill has opposition of the strongest kind, and it will require a very great deal of deliberation on the part of the Senate before it can finally arrive at a conclusion.

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

Mr. REED of Missouri. I yield to the Senator.

Mr. CURTIS. The Senator from South Dakota knows very well that I am in favor of his bill, but earlier in the afternoon I agreed with a number of Senators that, this being Saturday night, when we completed the consideration of the rivers and harbors bill we would have an executive session, and then recess until Monday. I do hope the Senator will not insist upon his motion to-night. I would like at this time to move that we proceed to the consideration of executive business.

Mr. STERLING. Mr. President, if I may be permitted——

Mr. REED of Missouri. I yield to the Senator.

Mr. STERLING. The suggestion I made with reference to not taking up the bill for discussion to-night was in view of the fact that I supposed there would be an early adjournment of the Senate or a recess taken. A recess has already been ordered, and I think I have made a very fair proposition.

I want to say, with reference to this bill, that it is a measure of great and vital importance. It has been on the calendar for a long time, and it was thoroughly discussed in committee. Furthermore, it is a bill which the steering committee of the Senate decided some time ago, as much as two weeks ago, should be on the program for consideration at this session of the Congress.

Mr. PEPPER. Mr. President——

The PRESIDENT pro tempore. Does the Senator from Missouri yield to the Senator from Pennsylvania?

Mr. REED of Missouri. I yield.

Mr. PEPPER. Mr. President, I wish to suggest to the Senator from South Dakota that each of us regards the measure which he has in charge as of particular importance, but that the unfinished business before the Senate now is the banking bill, which has already received a very considerable amount of attention by the Senate, leading, logically, to the conclusion that it should be disposed of before other matter is brought to the Senate's attention.

The Senator made reference to the action of the steering committee. The banking bill, on the list of priorities, stands ahead of the measure which the Senator is now seeking to substitute for it; and if the Senator is not going to discuss his bill to-night, nothing will be gained by the adoption of his motion, save only to displace that which is ripe for the Senate's consideration. I beg him to consider that he is dislocating the business of the Senate, rather than proceeding with it in an orderly way.

Mr. WILLIS. Mr. President, a parliamentary inquiry.

The PRESIDENT pro tempore. The Senator from Ohio will state his inquiry.

Mr. WILLIS. The Senator from South Dakota having made his motion, and the Senate having agreed to recess when it finishes its business for the day, I ask the Chair if the Senator's motion will not be pending when the Senate meets on Monday.

The PRESIDENT pro tempore. The Chair is of the opinion that it will be pending in the event a recess is taken before it shall be disposed of.

EXECUTIVE SESSION

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

The motion was agreed to, and the Senate proceeded to the consideration of executive business. After 15 minutes spent in executive session the doors were reopened.

FINES, PENALTIES, ETC., IN THE POSTAL SERVICE

Mr. STERLING. I ask unanimous consent for the present consideration of the bill (S. 4232) to amend section 409, Revised Statutes of the United States, relating to fines, penalties, forfeitures, and liabilities in the Postal Service.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the provisions of section 409, Revised Statutes of the United States, shall extend in all cases now pending or which may hereafter arise to balances due to the United States through accountability for public moneys under any provision of law in relation to the officers, employees, operations, or business of the Postal Service.

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

WILLIAM H. ARMSTRONG

Mr. WALSH of Massachusetts. From the Committee on Military Affairs I report back without amendment the bill (H. R. 6442) for the relief of William H. Armstrong, and I submit a report (No. 1254) thereon. I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, and it was read, as follows:

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized to appoint William H. Armstrong, by and with the advice and consent of the Senate, formerly a captain of Infantry, a captain of Infantry in the Army of the United States, to take rank at the foot of the list of captains of Infantry, and that no back pay or allowances shall accrue as a result of the passage of this act.

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

BRIDGE ACROSS THE RIO GRANDE

Mr. SHEPPARD. From the Committee on Commerce I report back without amendment the bill (H. R. 11818) granting the consent of Congress to the construction of a bridge across the Rio Grande, and I submit a report (No. 1253) thereon. I ask unanimous consent for the present consideration of the bill.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to W. J. Stahmann, Edgar D. Brown, L. N. Shafer, and associates, their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Rio Grande, at a point suitable to the interests of navigation, at or near a point 2 miles south of the town of Tornillo, Tex., in the lower San Elizario Grant, in the county of El Paso, on the American side of the river, in ac-

cordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906, such construction to be made only with the consent and approval of the Republic of Mexico.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

LAND IN CONWAY COUNTY, ARK.

Mr. CARAWAY. From the Committee on Public Lands and Surveys I report back without amendment the bill (H. R. 9687) permitting the sale of the northeast quarter, section 5, township 6 north, range 15 west, 160 acres, in Conway County, Ark., to A. R. Bowdre, and I ask unanimous consent for its present consideration.

There being no objection, the Senate, as in Committee of the Whole, proceeded to consider the bill, which was read, as follows:

Be it enacted, etc., That upon the payment therefor at the rate of $1.25 per acre, the Secretary of the Interior be, and he is hereby, authorized to issue a patent, as hereinafter limited, to A. R. Bowdre, for the following-described land: East half of the northeast quarter of section 5, in township 6 north, range 15 west, Conway County, Ark.: *Provided*, That there shall be reserved to the United States all oil, gas, or other minerals in the land, together with the right to prospect for, mine, and remove the same.

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

RECESS

Mr. CURTIS. I move that the Senate take a recess until Monday at 11 o'clock, under the order heretofore entered.

The motion was agreed to; and the Senate (at 10 o'clock and 5 minutes p. m.), under the order previously entered, took a recess until Monday, March 2, 1925, at 11 o'clock a. m.

NOMINATIONS

Executive nominations received by the Senate February 28 (legislative day of February 26), 1925

FOREIGN SERVICE OFFICERS

CONSULAR OFFICERS

Charles A. Bay, of Minnesota.
David C. Berger, of Virginia.
Henry R. Brown, of Minnesota.
Harold M. Collins, of Virginia.
Joseph G. Groeninger, of Maryland.
Richard B. Haven, of Illinois.
Edward P. Lowry, of Illinois.
Sidney E. O'Donoghue, of New Jersey.
Earl L. Packer, of Utah.
Edwin A. Plitt, of Maryland.
Laurence E. Salisbury, of Illinois.
Leo D. Sturgeon, of Illinois.
Rollin R. Winslow, of Michigan.

COAST GUARD OF THE UNITED STATES

Lieut. Commander (Engineering) Charles J. Odend'hal, now serving temporarily, to be lieutenant commander (engineering), to rank as such from February 2, 1925, in place of Lieut. Commander (Engineering) Samuel M. Rock, deceased. This officer has passed the examination required by law.

Lieut. (Engineering) Edward F. Palmer to be temporarily a lieutenant commander (engineering), to rank as such from February 2, 1925, in place of Lieut. Commander (Engineering) Charles J. Odend'hal, promoted. This temporary promotion is recommended in accordance with the provisions of the act approved April 21, 1924.

POSTMASTERS

ALABAMA

John W. Johnson to be postmaster at Langdale, Ala., in place of J. W. Johnson. Office became third class October 1, 1924.

CALIFORNIA

Walter W. Middleton to be postmaster at Costa Mesa, Calif., in place of C. W. TeWinkle. Office became third class January 1, 1924.

GEORGIA

Herman C. Overstreet to be postmaster at Sylvania, Ga., in place of H. C. Overstreet. Incumbent's commission expired February 11, 1924.

Joseph B. Williams to be postmaster at Rhine, Ga., in place of J. B. Williams. Office became third class October 1, 1924.

Francis L. Chapman to be postmaster at Ludowici, Ga., in place of R. L. Horne. Incumbent's commission expired July 28, 1923.

William L. Newton to be postmaster at Claxton, Ga., in place of W. S. Freeman, resigned.

ILLINOIS

Charles Voorhees to be postmaster at Bradley, Ill., in place of E. J. Mulligan. Incumbent's commission expired June 5, 1924.

Fred H. Kientz to be postmaster at Alhambra, Ill., in place of F. H. Kientz. Office became third class January 1, 1924.

KENTUCKY

Richard C. Duvall to be postmaster at Lebanon Junction, Ky., in place of J. H. Collings, resigned.

Joseph W. Demonbron to be postmaster at Horse Cave, Ky., in place of B. L. Kessinger. Incumbent's commission expired February 14, 1924.

MINNESOTA

Frank Schweiger to be postmaster at Ely, Minn., in place of J. M. Brown. Incumbent's commission expired June 5, 1924.

MISSISSIPPI

Lillie B. Carr to be postmaster at Sumner, Miss., in place of L. B. Carr. Incumbent's commission expired January 28, 1924.

NEW JERSEY

William J. Hart to be postmaster at Fort Lee, N. J., in place of C. L. Richter, resigned.

OKLAHOMA

H. C. Griswold to be postmaster at Wetumka, Okla., in place of W. A. Geren, resigned.

Ada Vanscoy to be postmaster at Dill, Okla., in place of J. B. Kreul. Office became third class January 1, 1925.

PENNSYLVANIA

Mary F. Carey to be postmaster at Mahanoy Plane, Pa., in place of M. F. Carey. Office became third class October 1, 1924.

Edward Hoffner to be postmaster at Edge Hill, Pa., in place of Edward Hoffner. Office became third class January 1, 1925.

TEXAS

Charley R. Jamison to be postmaster at Boyd, Tex., in place of C. R. Jamison. Office became third class October 1, 1924.

VIRGINIA

Joseph W. Harvey to be postmaster at Montrose, Va., in place of J. W. Harvey. Office became third class April 1, 1921.

WISCONSIN

Albert L. Jochem to be postmaster at Cedarburg, Wis., in place of A. S. Horn. Incumbent's commission expired May 28, 1924.

Lorenzo F. Rosenthal to be postmaster at Beloit, Wis., in place of C. W. Steele. Incumbent's commission expired June 5, 1924.

CONFIRMATIONS

Executive nominations confirmed by the Senate February 28 (legislative day of February 26), 1925

CHIEF JUSTICE OF THE SUPREME COURT OF THE PHILIPPINE ISLANDS

Ramon Avanceña, of the Philippine Islands.

ASSISTANT SECRETARY OF THE DEPARTMENT OF THE INTERIOR

John H. Edwards to be Assistant Secretary.

RECEIVER OF PUBLIC MONEYS

Perry T. Williams to be receiver of public moneys at Glenwood Springs, Colo.

PROMOTIONS IN THE ARMY

Paul Ashland Brickey to be first lieutenant, Medical Corps.
Holmes Gill Paullin to be captain, Quartermaster Corps.
Frederick Ramon Garcin to be major, Chemical Warfare Service.

FIELD ARTILLERY

Walter King Wilson to be lieutenant colonel.
Hubert Reilly Harmon to be major.
Benjamin Greeley Ferris to be major.
Joseph Robbins Bibb to be captain.
Alston Bertram Ames to be captain.
Stephen Carson Whipple to be captain.
Harry Franklin Gardner to be captain.
Charles Jacob Kindler to be captain.
John Nelson Merrill to be captain.

Theodore Anton Baumeister to be captain.
Charles Jerrold Morelle to be captain.
Ellis Donald Weigle to be captain.
Emile Peter Antonovich to be captain.
George Windle Read, jr., to be first lieutenant.
James Barlow Cullum, jr., to be first lieutenant.
Francis Hudson Oxx to be first lieutenant.
Thomas Henry Stanley to be first lieutenant.
Donald Greeley White to be first lieutenant.
Henry George Lambert to be first lieutenant.
William Weston Bessell, jr., to be first lieutenant.
Charles George Holle to be first lieutenant.
Arthur Martin Andrews to be first lieutenant.
Edward Crosby Harwood to be first lieutenant.
John Wylie Moreland to be first lieutenant.
Wayne Stewart Moore to be first lieutenant.

FINANCE DEPARTMENT

Kenzie Wallace Walker to be Chief of Finance, with the rank of major general.

CHEMICAL WARFARE SERVICE

Amos Alfred Fries to be Chief of Chemical Warfare Service with the rank of major general.

Amos Alfred Fries to be Chief of Chemical Warfare Service with the rank of major general. Term expires.

FIELD ARTILLERY

Felix Marcinski to be second lieutenant.

INFANTRY

James Frederick Howell, jr., to be second lieutenant.
Paul Albert Pickhardt to be second lieutenant.
Ralph Arthur Koch to be second lieutenant.
John Preston Terrell to be lieutenant colonel.
Charles Samuel Ritchel to be major.
Thomas Guerdon Hearn to be major.
John Clayton O'Dell to be captain.
Fred Chase Christy to be captain.
Henry Franklin Hannis to be first lieutenant.
Arthur Lee McCullough to be first lieutenant.
Edward Albert Routheau to be first lieutenant.

POSTMASTERS

ARKANSAS

Ferrell S. Tucker, Black Oak.
Emma W. Connaway, Forrest City.
Robert S. Smith, Garland.
John L. Hyde, Tillar.

FLORIDA

James E. Parrish, Larkins.

GEORGIA

Carlton P. Sanders, Carnesville.
Louise C. Riddle, Davisboro.
James C. Lee, Franklin.
William A. Garrett, Roopville.
Marion Lucas, Savannah.
James R. Taylor, Tallulah Falls.

INDIANA

Orvis H. Betts, Garrett.

IOWA

Ray Robertson, Maxwell.
Marie Jones, Bussey.

MICHIGAN

Effie M. Fanning, Boyne Falls.
Charles C. Kellogg, Detroit.

MINNESOTA

Rollo F. Dean, Blue Earth.
Charles C. Gilley, Cold Spring.
Elizabeth Richardson, Delano.
Mathilda V. Morell, Grandy.
Wilfred D. Oleson, Isanti.
Oscar F. Lindstrom, Lindstrom.
Henry E. Milbrath, Princeton.
Arthur McBride, Walker.

MONTANA

Madge I. Melvin, Rexford.

NEW JERSEY

Frank W. Cassedy, Cape May.
Richard A. Jessen, Keansburg.

NORTH CAROLINA

Sidney A. Padgett, Ellenboro.
Luther L. Bryant, Roxobel.

PORTO RICO

Pablo Vilella, jr., Lares.

SOUTH CAROLINA

William B. Wright, jr., Shelton.

TEXAS

Alta Perkins, Aspermont.
Arbye L. Curtis, Big Lake.
Annie L. Thompson, Manning.
Leslie W. Garrett, Quitman.
Winnie Everitt, Shepherd.
Robert W. Scurlock, Tenaha.

VIRGIN ISLANDS

Donald D. Hoover, St. Thomas.

WEST VIRGINA

Albert S. J. Hopkins, Braeholm.
Levi Gay, Eccles.
Nancy Ridenour, Ridgeley.

HOUSE OF REPRESENTATIVES

SATURDAY, *February 28, 1925*

The House met at 10 o'clock a. m.

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

O Thou who art without beginning and without end, come to us; not in wrath that shakes the universe, but in knowledge and wisdom which save the world. Deliver us from any mistaken notions concerning Thee and let us see Thy Fatherhood in the likeness of Thine only begotten Son. Show us that Thy love is glorious, and continue to complete its revelation to our grateful and wondering hearts. May to-morrow cause us no anxiety, but help us to be men of to-day, strong, urgent, who serve our country for the good and blessing of the Republic. Amen.

THE JOURNAL

The Clerk began the reading of the Journal when the gentleman from Texas [Mr. BLANTON] made the point of order of no quorum.

Mr. SNELL. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 90]

Abernethy	Favrot	Lineberger	Rogers, N. H.
Allgood	Fredericks	Logan	Rosenbloom
Anderson	Free	Lowrey	Salmon
Anthony	Freeman	McClintic	Sanders, Ind.
Ayres	Fulbright	McFadden	Sanders, N. Y.
Barbour	Fulmer	McLeod	Sanders, Tex.
Barkley	Funk	McNulty	Schall
Beedy	Gallivan	Mansfield	Scott
Bell	Garber	Mapes	Sherwood
Berger	Garner, Tex.	Martin	Sites
Brand, Ohio	Garrett, Tex.	Merritt	Snyder
Britten	Gifford	Michaelson	Spearing
Brumm	Glatfelter	Milligan	Sproul, Ill.
Buckley	Goldsborough	Mills	Sproul, Kans.
Butler	Green	Minahan	Sullivan
Byrnes, S. C.	Griffin	Moore, Ill.	Sweet
Carew	Haugen	Morgan	Swoope
Celler	Hayden	Morin	Tague
Clague	Hooker	Nelson, Wis.	Taylor, Colo.
Clancy	Howard, Okla.	Nolan	Thomas, Okla.
Clark, Fla.	Hull, Tenn.	O'Brien	Tinkham
Clarke, N. Y.	Hull, William E.	O'Connor, N. Y.	Vaile
Cole, Ohio	Humphreys	O'Sullivan	Vare
Connolly, Pa.	Jost	Paige	Vinson, Ky.
Corning	Keller	Peavey	Voigt
Cramton	Kendall	Peery	Ward, N. Y.
Curry	Kent	Perkins	Watson
Dallinger	Kiess	Perlman	Weaver
Deal	Kindred	Phillips	Wefald
Dempsey	Knutson	Porter	Welsh
Dickinson, Iowa	Kunz	Pou	Wertz
Dickstein	Kurtz	Prall	Wilson, Miss.
Dominick	Lampert	Ransley	Winslow
Doyle	Langley	Rayburn	Wolff
Drane	Lazaro	Reed, Ark.	Wood
Drewry	Lea, Calif.	Reed, W. Va.	Wurzbach
Eagan	Leatherwood	Richards	
Edmonds	Lee, Ga.	Roach	
Fairchild	Lilly	Rogers, Mass.	

The SPEAKER. Two hundred and seventy-eight Members are present, a quorum.

Mr. SNELL. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The doors were opened.

The Clerk completed the reading of the Journal, which was approved.

HENRY D. CLAYTON

Mr. HILL of Alabama. Mr. Speaker, by authority of the Foreign Affairs Committee I call up from the Speaker's table Senate bill 4032, authorizing the Department of State to deliver to the Hon. Henry D. Clayton, district judge of the United States for the middle and northern districts of Alabama, and permitting him to accept the decoration and diploma presented by the Government of France.

The SPEAKER. The gentleman from Alabama calls up a Senate bill, which the Clerk will report by title.

The Clerk read the title of the bill.

Mr. BLANTON. Mr. Speaker, I raise the question of consideration.

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 203, noes 3.

So the House decided to consider the bill.

The Clerk read the bill, as follows:

Be it enacted, etc., That Henry D. Clayton, United States district judge for the middle and northern districts of Alabama, be, and he is hereby, authorized to accept the decoration and diploma of chevalier of the Legion of Honor tendered to him by the Government of the French Republic, and the Department of State is hereby authorized to deliver to him the said decoration and diploma.

Mr. HILL of Alabama. Mr. Speaker and gentlemen of the House, this bill merely authorizes the Secretary of State to deliver to the Hon. Henry D. Clayton the decoration and diploma of chevalier of the Legion of Honor and permits the Hon. Henry D. Clayton to accept said decoration and diploma.

The Hon. Henry D. Clayton is judge of the northern and middle districts of the Federal court for the State of Alabama. The law provides that any present or decoration tendered by a foreign government to an officer of the Government of the United States shall be tendered through the State Department and that the State Department shall not deliver the said present or decoration without the authority of the Congress.

Judge Clayton was for many years a Member of this House. He served as the chairman of the Judiciary Committee of the House, and, as many Members will remember, was the father of the Clayton Antitrust Act and other great and constructive legislation. Judge Clayton voluntarily retired from this House to accept the position on the Federal bench.

Last summer he went with a delegation of the American Bar Association to the city of Paris to meet with the French bar. While in Paris the American Chamber of Commerce of that city tendered a reception to the delegation of the American Bar Association and Judge Clayton was selected by Ambassador Herrick and former Attorney General Wickersham, who was acting chairman of the bar association delegation, to make the speech in behalf of the American Bar Association delegation in response to the speech of welcome of the president of the American Chamber of Commerce. Judge Clayton made the address, voiced his appreciation of the French people and of the French Republic, and recalled the melancholy fact that his brother, Col. Bertram T. Clayton, was the highest ranking officer of the Regular American Army to be killed on the French front during the World War. At the conclusion of his address the French Republic tendered Judge Clayton the diploma of chevalier of the Legion of Honor. After Judge Clayton returned to America last summer the formal requisite tender was made through the Secretary of State, but Judge Clayton, as I have stated, can not accept this decoration without the consent of the Congress.

This bill is similar to a number of other bills that the Congress has passed and it is similar to a bill that this very Congress passed permitting Surgeon General Cummings, of the Public Health Service, to accept a decoration from the French Republic. It has the unanimous approval of the Foreign Affairs Committee. If no one has any question to ask, I yield two minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this French decoration is tendered this Federal judge not for anything he has done but for something that his dead brother did in France. I can not subscribe to permitting foreign governments to decorate our Federal judiciary. Many cases arise that are sent to these various Federal district courts for settlement which involve the rights of American citizens as against the rights of foreigners. There are many cases sent to these Federal judges to try that involve the rights of the American Government against other governments. They are to determine them, and I do not believe in allowing the Federal judiciary to accept any kind of a present or decoration from a foreign government.

Just one other objection I have to this bill. I do not think the Government in any manner, directly or indirectly, ought to recognize the Government of France until that Republic takes some steps to fund its honest debt that it owes this Government. It has not taken one step yet, and until that step is taken this Congress should not recognize France in any way.

Mr. HILL of Alabama. Mr. Speaker, I move the previous question on the bill.

The previous question was ordered.

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.

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

The question was taken; and on a division (demanded by Mr. BLANTON) there were—ayes 105, noes 15.

So the bill was passed.

On motion of Mr. HILL of Alabama, a motion to reconsider the vote whereby the bill was passed was laid on the table.

CHILD LABOR AMENDMENT

The SPEAKER. The Chair lays before the House the following communications:

A communication from the secretary of state of Vermont 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.

A communication from the secretary of State of Wisconsin announcing the ratification by the legislature of that State of the proposed amendment to the Constitution relating to the labor of persons under 18 years of age.

A communication from the secretary of state of Connecticut 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.

A communication from the chief clerk of the House of Representatives of the State of South Dakota announcing the rejection by the house of representatives of the proposed amendment to the Constitution relating to the labor of persons under 18 years of age.

CONSENT CALENDAR

The SPEAKER. The Clerk will report the first bill upon the Consent Calendar.

INVESTIGATION OF CHARGES AGAINST JUDGE GEORGE W. ENGLISH

The first business on the Consent Calendar was the joint resolution (H. J. Res. 347) providing for an investigation of the official conduct of George W. English, district judge for the eastern district of Illinois.

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. RAINEY. Mr. Speaker, reserving the right to object, I would like to inquire of the gentleman in charge of this bill whether there has been submitted to the committee any evidence which, in the judgment of the committee, would warrant this investigation.

Mr. GRAHAM. I will say to the gentleman that there have been sworn affidavits and other communications submitted to the Speaker of the House and by him referred to the Committee on the Judiciary. That committee referred the matter to a subcommittee and the subcommittee made a preliminary investigation and reported unanimously to the full committee that there ought to be an investigation of this matter, and the entire committee unanimously reported the resolution to the House.

Mr. RAINEY. May I ask whether it is the purpose of the committee to send this committee of investigation out to East St. Louis to make the investigation or will this judge be required to bring his witnesses here at his own expense?

Mr. GRAHAM. The intention is to make a thorough investigation, and the committee is authorized to go to East St. Louis and make the investigation there or anywhere else it may be necessary to go.

Mr. RAINEY. I shall not object, Mr. Speaker.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the joint resolution, as follows:

Whereas certain charges against George W. English, United States district judge for the eastern district of Illinois, have been transmitted by the Speaker of the House of Representatives to the Judiciary Committee: Be it

Resolved, etc., That WILLIAM D. BOIES, CHARLES A. CHRISTOPHERSON, IRA G. HERSEY, EARL C. MICHENER, HATTON W. SUMNERS, JOHN N. TILLMAN, and ROYAL H. WELLER, members of Subcommittee No. II of the Judiciary Committee, be, and they hereby are, authorized and directed to inquire into the official conduct of George W. English, United States district judge for the eastern district of Illinois, and to report to the House whether in their opinion the said George W. English has been

guilty of any acts which in contemplation of the Constitution are high crimes or misdemeanors requiring the interposition of the constitutional powers of the House; and that the said special committee have power to hold meetings in the city of Washington, D. C., and elsewhere and to send for persons and papers, to administer the customary oaths to witnesses, all process to be signed by the Clerk of the House of Representatives under its seal, and be served by the Sergeant at Arms of the House or his special messenger; to sit during the sessions of the House until adjournment sine die of the Sixty-eighth Congress, and thereafter until said inquiry is completed, and report to the Sixty-ninth Congress.

With the following committee amendments:

In line 5 strike out the words "members" and insert in lieu thereof the word "being."

In line 6 strike out the word "of" and insert "a." Strike out "No. II," and after the word "the" insert "Committee on the." Also strike out the word "Committee" and insert "of the House of Representatives," in lieu thereof.

On page 2, after line 13, insert the following section:

"SEC. 2. That said special committee be, and the same is hereby, authorized to employ such stenographic and clerical assistance as they may deem necessary, and all expenses incurred by said special committee, including the expenses of such committee when sitting in or outside of the District of Columbia, shall be paid out of the contingent fund of the House of Representatives on vouchers ordered by said committee, signed by the chairman of said committee: *Provided, however,* That the total expenditures authorized by this resolution shall not exceed the sum of $5,000."

The committee amendments were agreed to.

The joint resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

PRODUCTION OF SULPHUR UPON THE PUBLIC DOMAIN

The next business on the Consent Calendar was the bill (S. 4120) to promote the production of sulphur upon the public domain.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. I object, Mr. Speaker.

Mr. SINNOTT. Mr. Speaker, I hope the gentleman will reserve his objection.

Mr. BEGG. I shall be glad to do so, but I can not see any reason why I should change my mind.

Mr. SINNOTT. This is a very important bill. It will prevent speculation on the public domain and at the same time encourage prospecting for sulphur. Let me explain to the gentleman that in a number of States sulphur deposits lie at great depth and those deposits can only be discovered by deep drilling. No one under the present law is justified in entering into such deep drilling, because he has no certainty and no security that he will be permitted to go on and drill, because he secures no rights in the land and no rights in the sulphur deposits until he makes a discovery.

Mr. BEGG. Will the gentleman yield?

Mr. SINNOTT. Yes.

Mr. BEGG. What argument is there to having the United States develop the sulphur available in this country any more than oil? If we do this, why should we not go into the oil business also?

Mr. SINNOTT. The United States is not doing that under this bill.

Mr. BEGG. It certainly says to enable the United States to even speculate as to where sulphur is found in Louisiana, where there is not an acre of public land.

Mr. SINNOTT. There is not anything like that in the bill. Furthermore, that is the law as to deep drilling. Now, this is the law as to sulphur deposits which may be found upon the surface. Anyone finding a sulphur deposit upon the surface may obtain 20 acres of that land on the payment of only $2.50 an acre. Eight men can group themselves together and secure 160 acres of valuable sulphur deposits on the payment of only $2.50 an acre. This bill prevents any further patenting of these lands. They are retained by the United States Government and leased by the United States Government upon the royalties mentioned in the bill, just the same as coal and oil lands are now leased by the United States Government and no longer alienated away. This prevents the further alienation of sulphur lands, and it is certainly a bill in the interest of conservation.

Mr. BEGG. I object, Mr. Speaker.

PAYMENT OF RENTALS FOR POST-OFFICE PREMISES UNDER LEASE

The next business on the Consent Calendar was the bill (S. 3162) authorizing the Postmaster General to make monthly payment of rental for post-office premises under lease.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Postmaster General is hereby authorized to make monthly payment of rental for post-office premises under lease.

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

POSTMASTER GENERAL TO RENT POSTAL QUARTERS WITHOUT WRITTEN CONTRACTS

The next business on the Consent Calendar was the bill (S. 3967) to authorize the Postmaster General to rent quarters for postal purposes in certain cases without a formal written contract, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Reserving the right to object, I want to ask the gentleman why is it necessary to rent postal quarters without a written contract? I think a written contract is a protection to the Government.

Mr. KELLY. In the absence of the gentleman from Illinois [Mr. SEROUL] I will say to the gentleman that the Post Office Department strongly recommends the privilege of entering into leases in third-class offices without a written contract.

Mr. BLANTON. Yes; and the Post Office Department strongly recommends that they let their several hundred trucks stand on the streets with the engines running, while the driver is gathering the mail. You can not always rely on the recommendations of the Post Office Department.

Mr. KELLY. This will save $500,000 a year, with benefit both to the owner of the property and to the Post Office Department.

Mr. BLANTON. Does not the gentleman think that a written contract is a protection to the Government and will save the Government money?

Mr. KELLY. No; on the contrary, this will save the Government $500,000 and will not impair the protection of the Government.

Mr. BLANTON. We have men paid to draw these written contracts. Mr. Speaker, I object.

SESQUICENTENNIAL EXHIBITION COMMEMORATING THE SIGNING OF THE DECLARATION OF INDEPENDENCE

The next business on the Consent Calendar was House joint resolution (H. J. Res. 357) providing for the cooperation of the United States in the sesquicentennial exhibition commemorating the signing of the Declaration of Independence, and for other purposes.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. REED of New York. Mr. Speaker, I ask unanimous consent to substitute Senate Joint Resolution 187.

The SPEAKER. Is it the same bill?

Mr. REED of New York. It is practically the same bill. There is an amendment to the Senate bill to comply with the recommendations of the Secretary of the Treasury.

The SPEAKER. Is there objection to the request of the gentleman from New York?

There was no objection.

The Clerk read the Senate bill, as follows:

Resolved, etc., That there is hereby established a commission to be known as the national advisory commission to the Sesquicentennial Exhibition Association (hereinafter referred to as the commission) and to be composed of (1) the Secretary of State and the Secretary of Commerce, as commissioners to represent the United States, and (2) two citizens from each of the several States, Alaska, Hawaii, the Philippine Islands, Porto Rico, the Canal Zone, and the Virgin Islands, who shall be appointed by the President, as commissioners to represent such States, Territories, and possessions. The commission is authorized to confer with and advise the officers and directors of the Sesquicentennial Exhibition Association, in connection with the holding, under the auspices of such association, of a national and international exhibition in the city of Philadelphia, Pa., in 1926, in celebration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence. There is authorized to be appropriated the sum of $25,000 to be expended under the direction of the Secretary of State to defray such expenses of the commission as he shall approve.

SEC. 2. All articles that shall be imported from foreign countries for the sole purpose of display at such exhibition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell any goods or property imported for and actually on exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling and exposure, the duty, if payable, shall be assessed according to the appraised value at the time of sale or withdrawal, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

SEC. 3. The heads of the various executive departments and independent establishments of the Government are authorized to collect and prepare and lend, upon request, to the Sesquicentennial Exhibition Association articles, specimens, and exhibits which, in their judgment, it may be in the interest of the United States to exhibit at such exhibition.

SEC. 4. (a) In commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence there shall be coined at the mints of the United States gold $1.50 pieces to the number of not more than 500,000 and silver 50-cent pieces to the number of not more than 1,000,000, such coins to be of the standard troy weight, composition, diameter, device, and design as shall be fixed by the Director of the Mint, with the approval of the Secretary of the Treasury, and such coins shall be legal tender in any payment to the amount of their face value.

(b) All laws now in force relating to the gold coins and subsidiary silver coins of the United States and the coining or striking of the same, regulating and guarding the process of coinage, providing for the purchase of material, and for the transportation, distribution, and redemption of the coins, for the prevention of debasement or counterfeiting, for security of the coins, or for any other purposes, whether such laws are penal or otherwise, shall, so far as applicable, apply to the coinage herein authorized: *Provided*, That the United States shall not be subject to the expense of making the necessary dies and other preparation for this coinage.

(c) The coins authorized by this section shall be issued only to the authorized officers of the Sequicentennial Exhibition Association, and in such numbers and at such times as they shall request, upon payment by such officers, for and on behalf of such association, of the par value of such coins.

SEC. 5. The Secretary of the Treasury is authorized and directed to have engraved, printed, and issued United States notes of the denomination of $1 in such quantity and design as he may deem best, illustrating, and in commemoration of, the signing of the Declaration of Independence.

The Clerk read the amendments, as follows:

Amendment by Mr. REED of New York: Page 3, line 19, after the word "gold," strike out "$1.50" and insert in lieu thereof the figures "$2.50." Page 3, line 20, after the word "than," strike out "five" and insert "two." Page 5, strike out section 5.

The amendments were agreed to.

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

ANNUAL CONFERENCE OF CERTAIN JUDGES

The next business on the Consent Calendar was the bill (H. R. 4507) to amend an act for the appointment of an additional circuit court judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes, approved September 14, 1922.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. McKEOWN. I object.

Mr. GRAHAM. Will the gentleman withhold his objection until I can make an explanation?

Mr. McKEOWN. I do not think we ought to pass such bills on the Unanimous Consent Calendar.

Mr. GRAHAM. Will the gentleman withhold his objection until I can make a short explanation?

Mr. McKEOWN. I will.

Mr. GRAHAM. This bill has only two things in it. First, it is to enable the court to divide and sit three and three, using the judges who have been assigned to assist in the work of the court. Second, to qualify the presiding judge to be brought into the council and sit with the other judges of the Circuit Court of Appeals in the council——

Mr. McKEOWN. It does not add an additional judge?

Mr. GRAHAM. No; it does not. It does not add a dollar of expense to anything.

Mr. McKEOWN. Mr. Speaker, I withdraw my objection.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the act entitled "An act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes," approved September 14, 1922, be amended as follows. At the conclusion of section 2 of said act insert:

"SEC. 2A. The chief justice of the Court of Appeals of the District of Columbia, or, in case of his inability to attend, the senior associate justice of that court, shall be summoned to the conference provided for in section 2 in the same manner as a senior circuit judge of a judicial circuit is summoned, and shall have all the duties, rights, and privileges of a senior circuit judge under section 2 so far as the same is applicable. The chief justice of the Supreme Court of the District of Columbia, the presiding judge of the municipal court, and the presiding judge of the police court of said last-mentioned district on or before the 1st day of August of each year shall each prepare and submit to the chief justice of the Court of Appeals of the District of Columbia a report setting forth the condition of business in his court, which shall be in substance like the report herein required from the senior district judge of each United States district court. Said report shall be laid before the conference herein provided for by the last-mentioned chief justice, or, in his absence, by the justice representing the Court of Appeals of the District of Columbia at the conference, together with such recommendations as he may deem proper."

Amend section 5 of said act by inserting after the word "concluded" in paragraph 2:

"*Provided further*, That the regular justices of the Court of Appeals of the District of Columbia shall have the right to provide that two of the judges of the United States Court of Customs Appeals, designated and assigned as herein provided, shall sit with the regular justices of the Court of Appeals of the District of Columbia whenever the latter shall so determine, thus constituting a court of five members. In such case a majority of the court shall be necessary to pronounce a judgment or pass an order."

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

RELIEF OF GOVERNMENT OF CANADA

The next business on the Consent Calendar was the bill (H. R. 8236) for the relief of the Government of Canada.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to pay, out of any money in the Treasury not otherwise appropriated, to the Government of Canada the sum of $4,430.76 in full settlement and satisfaction of its claim for reimbursement for expenditures incurred in repairing damages to the lower gates of Lock No. 15 of the Cornwall Canal, Ontario, Canada, caused by U. S. S. *Eagle No. 3* on November 15, 1918.

With the following committee amendment:

Line 6, strike out "$4,430.76" and insert "$4,470.76."

The amendment was agreed to and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

TO PENSION UNITED STATES DEPUTY MARSHALS, DISTRICT COURT, ARKANSAS

The next business on the Consent Calendar was the bill (H. R. 9364) granting a pension to deputy United States marshals, of the United States District Court of the Western District of Arkansas, who rendered special service prior to the admission of the State of Oklahoma into the Union.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. HILL of Maryland, Mr. COLE of Iowa, and Mr. BEGG objected.

MESSAGE FROM THE SENATE

A message from the Senate by Mr. Crockett, one of its clerks, announced that the Senate had passed without amendments bills and joint resolutions of the following titles:

H. R. 11210. An act to grant certain public lands to the State of Washington for park and other purposes;

H. R. 11355. An act authorizing the Secretary of War to convey by revocable lease to the city of Springfield, Mass., a cer-

tain parcel of land within the Springfield Military Armory Reservation, Mass.;

H. R. 11358. An act to authorize the Secretary of the Interior to cancel restricted fee patents covering lands on the Winnebago Indian Reservation and to issue trust patents in lieu thereof;

H. R. 11360. An act to provide for the permanent withdrawal of a certain 40-acre tract of public land in New Mexico for the use and benefit of the Navajo Indians;

H. R. 11361. An act to provide for exchanges of Government and privately owned lands in the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901;

H. R. 11362. An act to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon;

H. R. 11410. An act to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii;

H. R. 11644. An act granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes;

H. R. 11726. An act to authorize the creation of a national memorial in the Harney National Forest;

H. R. 11886. An act to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961);

H. R. 11953. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue;

H. R. 11954. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River at Gary, Ind.;

H. R. 11977. An act to extend the time for the commencement and completion of the bridge of the American Niagara Railroad Corporation across the Niagara River in the State of New York;

H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.;

H. R. 11077. An act authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within the Custer State Park, now claimed under the United States general mining laws, and for other purposes;

H. R. 8072. An act for the relief of Emma Zembsch;

H. R. 1415. An act for the relief of Josiah Frederick Dose;

H. R. 1539. An act for the relief of Caleb Aber;

H. R. 1569. An act for the relief of Andrew A. Gieriet;

H. R. 2016. An act for the relief of William M. Phillipson;

H. R. 2905. An act to authorize an exchange of lands with Ed Johnson, of Eagle, Colo.;

H. R. 3842. An act to provide for terms of the United States district court at Denton, Md.;

H. R. 4148. An act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes;

H. R. 4913. An act to pay to Jere Austill fees earned as United States commissioner;

H. R. 5660. An act for the relief of Charles Spencer;

H. R. 5759. An act for the relief of James F. Abbott;

H. R. 5786 An act for the relief of Roberta H. Leigh and Laura H. Pettit;

H. R. 6044. An act authorizing the Secretary of the Interior to sell and patent certain lands to Lizzie M. Nickey, a resident of De Soto Parish, La.;

H. R. 6045. An act authorizing the Secretary of the Interior to sell and patent certain lands to Flora Horton, a resident of De Soto Parish, La.;

H. R. 12001. An act to provide for the elimination of Lamond grade crossing in the District of Columbia and for the extension of Van Buren Street;

H. R. 12086. To authorize the transfer of the United States Weather Bureau site and buildings at East Lansing, Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture and other consideration;

H. R. 8037. An act for the relief of the Mallory Steamship Co.;

H. J. Res. 318. Joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes;

H. J. Res. 115. Joint resolution approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and at West Point, Ga., and vicinity, March, 1920;

H. R. 10277. An act to extend the time for the construction of a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;

H. R. 9825. An act to extend the time for the construction of a bridge across Pearl River at approximately 1½ miles north of Georgetown, in the State of Mississippi;

H. R. 10347. An act for the relief of Robert B. Sanford;

H. R. 10472. An act to provide for the restoration of the Old Fort Vancouver Stockade;

H. R. 6268. An act for the relief of Francis M. Atherton;

H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;

H. R. 7118. An act for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank;

H. R. 7679. An act for the relief of Lars O. Elstad and his assigns, and the exchange of certain lands owned by the Northern Railway Co.;

H. R. 8294. An act for the relief of Edward B. Sappington;

H. R. 8297. An act for the relief of the Canadian Pacific Railway Co.;

H. R. 9027. An act authorizing the Secretary of the Interior to sell and patent to William G. Johnson certain lands in Louisiana;

H. R. 9062. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes; and

H. R. 9435. An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes.

The message also announced that the Senate had further insisted upon its amendments Nos. 1, 28, and 46 to 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, disagreed to by the House of Representatives, had agreed to the further conference asked by the House on the disagreeing votes of the two Houses thereon, and had appointed Mr. PHIPPS, Mr. BALL, Mr. JONES of Washington, Mr. GLASS, and Mr. SHEPPARD as the conferees on the part of the Senate.

The message also announced that the Senate had passed bills and joint resolutions of the following titles, in which the concurrence of the House of Representatives was requested:

S. J. Res. 28. Joint resolution authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol;

S. 4377. An act to permit a compact or agreement between the States of Washington, Idaho, Oregon, and Montana respecting the disposition and apportionment of waters of the Columbia River and its tributaries, and for other purposes;

S. 872. An act to amend section 1 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes'";

S. 916. An act to amend the trading with the enemy act;

S. 1208. An act for the relief of Swend A. Swendson;

S. 1502. An act for the relief of the widow and minor children of Ed Estes, deceased;

S. 1621. An act for the relief of John F. White and Mary L. White;

S. 1638. An act authorizing the Court of Claims to adjudicate the claim of Capt. David McD. Shearer for compensation for the adoption and use and acquisition by the United States Government of his patented inventions;

S. 1999. An act conferring jurisdiction upon the Court of Claims to hear and determine the claim of Mrs. Patrick H. Bodkin;

S. 2033. An act for the relief of Philip T. Post;

S. 2603. An act for the relief of the legal representative of the estate of Haller Nutt, deceased;

S. 2630. An act for the relief of F. M. Gray, Jr., Co.;
S. 2721. An act for the relief of Levin P. Kelly;
S. 2941. An act for the relief of Philip T. Coffey;
S. 3777. An act to permit the United States of America to be made defendant and to be bound by decrees and final judgments entered in land title registration proceedings in the Circuit Court of Cook County, Ill., and courts of appeal therefrom under the provisions of an act concerning land titles in force in the State of Illinois, May 1, 1897;
S. 3826. An act to restore to the public domain certain lands within the Casa Grande Ruins National Monument, and for other purposes;
S. 3998. An act granting certain lands to the city of Delta, State of Colorado, for public park and recreational grounds, and for other purposes;
S. 4025. An act to reimburse the Truckee-Carson irrigation district, State of Nevada, for certain expenditures for the operation and maintenance of drains for lands within the Paiute Indian Reservation, Nev.;
S. 4042. An act to authorize the Secretary of the Interior to purchase certain land in California to be added to the Cahuilla Indian Reservation, and authorizing an appropriation of funds therefor;
S. 4050. An act for the relief of Herman Shulof;
S. 4057. An act providing for the irrigation of certain lands in the State of Nebraska;
S. 4151. An act to provide for aided and directed settlement on Government land in irrigation projects;
S. 3109. An act for the relief of Belle H. Walker, widow of Frank H. Walker, deceased, and Frank E. Smith;
S. 3144. An act for the relief of the Delaware River Towing Line;
S. 3231. An act for the relief of all owners of cargo laden aboard the United States transport *Florence Luckenbach* on or about December 27, 1918;
S. 3232. An act for the relief of the owners of the steamship *Basse Indre* and all owners of cargo laden aboard said vessel at the time of her collision with the steamship *Housatonic;*
S. 3645. An act for the relief of the Monumental Stevedore Co.;
S. 3717. An act conferring jurisdiction upon the Court of Claims of the United States or the district courts of the United States to hear, adjudicate, and enter judgment on the claim of Solomon L. Van Meter, jr., against the United States, for the use or manufacture of an invention of Solomon L. Van Meter, jr., covered by Letters Patent No. 1192479, issued by the Patent Office of the United States July 25, 1916;
S. 4161. Authorizing the transfer of abandoned and unused lighthouse reservation lands and buildings to States, counties, or municipalities for public-park purposes, and authorizing the transfer of lighthouse reservation lands and buildings in exchange for other real property, and for other purposes;
S. 4183. To amend paragraph (11), section 20, of the interstate commerce act;
S. 4191. An act to permit the merger of street railway corporations operating in the District of Columbia, and for other purposes;
S. 4243. An act for the relief of the Milwaukee Journal, of Milwaukee, Wis.;
S. 4340. An act confirming in States and Territories title to lands granted by the United States in the aid of common or public schools;
S. 4343. An act authorizing the construction, maintenance, and operation of a bridge across the Mississippi River between the cities of Prairie du Chien, Wis., and McGregor, Iowa;
S. 4353. An act for the relief of Edith W. Peacock and the Peacock Military College (Inc.);
S. 4358. An act for the relief of Rear Admiral Joseph L. Jayne, United States Navy, retired;
S. 4367. An act to provide for extension of payment on homestead entries on ceded lands of the Fort Peck Indian Reservation, State of Montana, and for other purposes;
S. 4382. An act to supplement the naturalization laws;
S. J. Res. 41. Joint resolution authorizing a joint committee of both Houses to investigate the Harriman Geographic Code System, now in use by the War Department, with a view to ascertaining the adaptability and application of said system in the several executive departments and administrative branches of the Government, and to rendering a just compensation to the owner thereof;
S. J. Res. 166. Authorizing the establishment of a commission to be known as the Sesquicentennial Commission of the Independence of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence;
S. J. Res. 181. Joint resolution for the relief of George Horton;
S. J. Res. 189. Joint resolution authorizing the enlargement of the Federal Veterans' Hospital at Muskogee, Okla., by the purchase of the adjoining city hospital, and authorizing the appropriation of $150,000 for that purpose; and
S. J. Res. 190. Joint resolution to provide for the expenses of delegates of the United States to the Pan American Congress of Highways.

The message also announced that the Senate had passed with amendments bills of the following titles, in which the concurrence of the House of Representatives was requested:

H. R. 11067. An act to provide for the relinquishment by the United States of certain lands to the county of Kootenai, in the State of Idaho;
H. R. 10025. An act to provide for the permanent withdrawal of certain described lands in the State of Nevada for the use and benefit of the Indians of the Walker River Reservation;
H. R. 9846. An act for the relief of Francis Kelly;
H. R. 5939. An act to facilitate and simplify the work of the Forest Service, United States Department of Agriculture, and to promote reforestation;
H. R. 3839. An act for the relief of M. Castanola & Son;
H. R. 5637. An act for the relief of Edward R. Wilson, lieutenant commander, Supply Corps, United States Navy; and
H. R. 2646. An act for the relief of Ida Fey.

BRITISH STEAMSHIP "BARON BERWICK"

The next business on the Consent Calendar was the bill (S. 2719) to authorize the payment of an indemnity to the British Government on account of losses sustained by the owners of the British steamship *Baron Berwick* as the result of a collision between that vessel and the U. S. S. *Iroquois* (now *Freedom*) and a further collision with the U. S. destroyer *Truxtun*.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, reserving the right to object, I want to know if the gentleman in charge of the bill will agree to an amendment striking out "£6,200" and inserting in lieu thereof the equivalent in dollars, American money? The amount would be $29,512.

Mr. UNDERHILL. Mr. Speaker, the only objection to that would be that this bill has already passed the Senate and it might endanger the passage of this bill. It makes no difference so far as the amount is concerned.

Mr. McKEOWN. I do not think it is quite proper to put in the British money in that way, and I should be inclined to object to it unless the gentleman is willing to accept that amendment.

Mr. UNDERHILL. Rather than to lose the chance of passing the bill at this session of course I would accept the amendment. This is a British claim, not an American claim.

Mr. McKEOWN. I understand; but, of course, if the gentleman thinks it will endanger the passage of the bill I do not want to object, other than to say that I do not think we ought to bring in bills here for the payment of indemnities in that fashion, with the amount of the award stated in terms of English money.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That there is hereby authorized to be paid to the British Government, out of any money in the Treasury not otherwise appropriated, as a matter of grace and without reference to the question of liability therefor, as full indemnity for the losses sustained by the owners of the British steamship *Baron Berwick*, or any other parties pecuniarily interested, on account of a collision on August 22, 1918, between that vessel and the U. S. S. *Iroquois* (now *Freedom*) and on account of a further collision on October 5, 1918, with the U. S. destroyer *Truxtun*, an amount equivalent to £6,200 on the date of the passage of this act, as recommended by the President in his message to Congress of February 28, 1924, printed as Senate Document No. 56, Sixty-eighth Congress, first session.

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

MECKLENBURG DECLARATION OF INDEPENDENCE

The next business on the Consent Calendar was the bill (H. R. 12233) establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the signing of the Mecklenburg declaration of independence at the city of Charlotte, N. C., on May 20, 1775, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I ask unanimous consent that the bill be passed over without prejudice. The gentleman from Massachusetts [Mr. LUCE] asked me to do that because he could not be here at this moment. I expect to object to it when it comes up, but out of courtesy to him I make that request.

Mr. BULWINKLE. The gentleman from Massachusetts asks me to state that he is unavoidably detained.

The SPEAKER. The gentleman from Ohio asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

MAJOR RENO AND MAJOR BENTEEN

The next business on the Consent Calendar was the bill (S. 310) authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle with the Sioux Indians, in which the commands of Major Reno and Major Benteen were engaged.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. Mr. Speaker, I object.

ADDITIONAL JUDGE, MINNESOTA

The next business on the Consent Calendar was the bill (H. R. 12343) to create an additional judge in the district of Minnesota.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. McKEOWN. Mr. Speaker, reserving the right to object, I want to know something about whether this creates a new judge.

Mr. GRAHAM. This is to appoint a judge to take the place of Judge McGee, who died not long since. The condition of the business there is such that this judge is urgently needed. The bill has already passed the Senate, and I shall ask unanimous consent to substitute the Senate bill for this bill. Every Representative from Minnesota is anxious to have this place filled. It is a grave necessity in the administration of the public business in that State.

Mr. SUMNERS of Texas. Mr. Speaker, if the gentleman will yield to me for a moment, Judge McGee was one of those judges appointed under what I characterize the omnibus bill. He is dead. That leaves the State of Minnesota with only two district judges. Clearly three judges are necessary there to carry on the work of the district.

Mr. McKEOWN. Then this judge is to fill the place of a judge heretofore on the bench?

Mr. SUMNERS of Texas. Yes.

Mr. McKEOWN. And it is not creating an additional judge?

Mr. SUMNERS of Texas. No. Not only that, but this appointment, if made, is to be made subject to the general provision in the bill that in the event of a vacancy occurring it is not to be filled without congressional action.

Mr. McKEOWN. I have no objection, Mr. Speaker.

Mr. JACOBSTEIN. Mr. Speaker, reserving the right to object, may I ask how long they had three judges of this district——

Mr. KNUTSON. Two years.

Mr. JACOBSTEIN. In the gentleman's opinion there ought to be three?

Mr. SUMNERS of Texas. Yes.

Mr. BLANTON. Reserving the right to object—and I shall not object—the gentleman from Pennsylvania intends to substitute the Senate bill. Now, will that Senate bill contain the same provisions mentioned by the gentleman from Texas that a future vacancy will require congressional action to fill it?

Mr. GRAHAM. I intend to move an amendment to the Senate bill by adding a proviso put in the House bill by our committee.

Mr. BLANTON. The gentleman intends to do that?

Mr. GRAHAM. I do.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

An act (S. 4352) to create an additional judge in the district of Minnesota

Be it enacted, etc., That the President of the United States be, and he is hereby, authorized and directed, by and with the advice and consent of the Senate, to appoint a judge to fill a vacancy created in the District Court of the United States for the District of Minnesota, occasioned by the death of Hon. John F. McGee, who was appointed as an additional judge in said district under the provisions of the act of Congress entitled "An act for the appointment of an additional circuit judge for the fourth judicial circuit, for the appointment of additional district judges for certain districts, providing for an annual conference of certain judges, and for other purposes," approved September 14, 1922.

SEC. 2. A vacancy occurring more than two years after the passage of this act in the office of the district judge appointed pursuant to this act shall not be filled unless Congress shall so provide.

SEC. 3. The judge appointed hereunder shall reside in said district and his compensation and powers shall be the same as now provided by law for the judge of said district.

SEC. 4. This act shall take effect immediately.

Mr. GRAHAM. I offer an amendment to the Senate bill.

The SPEAKER. The Chair is informed the Senate bill has the identical language.

Mr. BLANTON. That proviso is in the Senate bill?

The SPEAKER. So the Chair is informed.

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

SALE OF OLD FEDERAL BUILDING, TOLEDO, OHIO

The next business on the Consent Calendar was the joint resolution (S. J. Res. 186) authorizing the sale of the old Federal building at Toledo, Ohio.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I think this joint resolution ought to be explained, and I make the point of order of no quorum. I think we ought to keep a quorum here to pass these bills. I withhold that for the moment, as I understand this is a bill of the gentleman from Ohio [Mr. SHERWOOD].

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

The Clerk read as follows:

Resolved, etc., That the Secretary of the Treasury be, and he is hereby, authorized and directed to sell, when salable, at a price by him deemed reasonable and adequate for cash, at either private or public sale, the old Federal building in Toledo, Ohio, formerly used as the main post office and Federal building combined, and now abandoned as a main post office, and used as a post-office substation and Federal office and court building, the same being situated on the southeast corner of Madison Avenue and St. Clair Street in said city.

The joint resolution was ordered to be read the third time, was read the third time, and passed.

AUTHORIZING THE RESTORATION AND COMPLETION OF THE HISTORICAL FRIEZE IN THE ROTUNDA OF THE CAPITOL

The next business on the Consent Calendar was the joint resolution (H. J. Res. 28) authorizing the Joint Committee on the Library to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol.

The Clerk read the title of the joint resolution.

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

Mr. GILBERT. Mr. Speaker, I ask unanimous consent to substitute the Senate bill.

The SPEAKER. It passed the Senate last night, and has not yet come over. The Chair thinks this should be passed for the present. The Chair hears no objection.

EXTENDING TIME FOR REPAYMENT OF REVOLVING FUND TO CROW INDIANS

The next business on the Consent Calendar was the bill (H. R. 12156) extending the time for repayment of the revolving fund for the benefit of the Crow Indians.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the time for the repayment to the tribe of the $50,000 revolving fund for the benefit of the Crow Indians created by the act of June 4, 1920 (41 Stat. L. p. 755), for the purchase of seed, animals, machinery, tools, implements, and other equipment is hereby extended from June 30, 1925, to June 30, 1935, and said fund is hereby made available for such purposes for 10 years from and after June 30, 1925.

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

Mr. BLANTON. Mr. Speaker, I renew the point of no quorum.

The SPEAKER. The Chair will suggest to the gentleman that Members of the Illinois and Missouri delegations are in the corridor engaged in memorial exercises.

Mr. BLANTON. Under that situation I will not make the point.

The SPEAKER. The Chair thinks it would be very discourteous.

ADDITIONAL JUDICIAL DISTRICT IN NORTH CAROLINA

The next business on the Consent Calendar was the bill (S. 4059) to provide for an additional Federal district in North Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. WARD of North Carolina. Mr. Speaker, I object.

SURVEY OF ST. LAWRENCE RIVER, ETC.

The next business on the Consent Calendar was the joint resolution (H. J. Res. 332) to authorize the survey of the St. Lawrence River, and the preparation of plans and estimates, as recommended by the International Joint Commission.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. BOYLAN. Mr. Speaker, I object.

EDUCATION OF PERSIAN STUDENTS

The next business on the Consent Calendar was the joint resolution (H. J. Res. 365) 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.

The Clerk read the title of the joint resolution.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, I object.

LOAN OF ARMY MATERIAL TO KNIGHTS TEMPLAR AT SEATTLE, WASH.

The next business on the Consent Calendar was the joint resolution (H. J. Res. 359) authorizing the Secretary of War to loan certain horses, bridles, saddles, and saddle blankets to the thirty-sixth triennial conclave committee of Knights Templar for use at the Thirty-sixth Triennial Conclave, Knights Templar of the United States, to be held at Seattle, Wash., in July, 1925.

The title of the joint resolution was read.

The SPEAKER. Is there objection to the present consideration of this resolution?

There was no objection.

The SPEAKER. The Clerk will report the joint resolution.

The Clerk read as follows:

Resolved, etc., That the Secretary of War be, and he hereby is, authorized to loan at his discretion and under such regulations as he shall prescribe to the thirty-sixth triennial conclave committee Knights Templar for use in connection with the Thirty-sixth Triennial Conclave Knights Templar of the United States, to be held in Seattle, Wash., July 28 to 31, 1925, such number of horses not exceeding 250, together with bridles, saddles, and saddle blankets, property of the United States as may be available at Camp Lewis, Wash., for use in the parade of said conclave on July 28, 1925: *Provided*, That no expense shall be caused the United States Government by the delivery and return of said property, the same to be delivered to said committee designated at such time prior to the holding of said conclave as may be agreed upon by the Secretary of War and John Campbell, chairman of said executive committee: *Provided further*, That the Secretary of War shall, before delivering such property, take from said John Campbell a good and sufficient bond for the safe return of said property in good order and condition, and the whole without expense to the United States.

With a committee amendment, as follows:

Page 2, line 10, after the word "said," strike out the word "executive."

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

The committee amendment was agreed to.

The SPEAKER. The question is on the engrossment and third reading of the resolution.

The resolution was ordered to be engrossed and read a third time, was read the third time, and passed.

The SPEAKER. The Clerk will report the next bill.

INTERNATIONAL TRADE EXPOSITION, NEW ORLEANS, LA.

The next business on the Consent Calendar was the resolution (H. J. Res. 351) authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this resolution?

Mr. BLANTON. What is the purpose of this resolution?

Mr. REED of New York. To establish a trade center at New Orleans. Other countries are doing that.

Mr. BLANTON. How much will it cost?

Mr. REED of New York. Nothing at all. I ask unanimous consent, Mr. Speaker, to substitute the Senate resolution for the House resolution. It is Senate Joint Resolution 184.

The SPEAKER. The gentleman from New York asks unanimous consent to substitute the Senate resolution for the House resolution. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate resolution.

The Clerk read as follows:

Joint resolution (S. J. Res. 184) authorizing the President to invite the States of the Union and foreign countries to participate in a permanent international trade exposition at New Orleans, La., to begin September 15, 1925

Whereas the International Trade Exhibition, a nonprofit domestic corporation formed for the purpose of fostering better trade relations between the peoples of the United States and of foreign nations, has made preparations for the holding of a permanent international exhibition of fabricated and raw products of the United States and similar products of foreign countries; and

Whereas the War Department, under authorization of Congress, has leased to the International Trade Exhibition the New Orleans Quartermaster Intermediate Depot No. 2 for the purpose of exhibiting such products; and

Whereas it is the desire and purpose to obtain the participation of the States of the Union and foreign countries in such exhibition, thus encouraging and facilitating the growth of commerce in trade in such products; and

Whereas it is the sense of Congress that such a permanent international trade exhibition should be encouraged and officially recognized: Therefore be it

Resolved, etc., That the President of the United States is authorized to invite by proclamation, or in such other manner as he may deem proper, the States of the Union and all foreign countries to participate in the proposed permanent exhibition to be held by the International Trade Exhibition at New Orleans, La., beginning September 15, 1925, for the purpose of exhibiting samples of fabricated and raw products of all countries and bringing together buyers and sellers for promotion of trade and commerce in such products.

SEC. 2. The President of the United States is respectfully requested to give official recognition to the International Trade Exhibition by furnishing to Hamilton K. Avery, the vice president and general manager thereof, such credentials as he deems proper to enable such International Trade Exhibition, with the sanction of the United States Government, to present to the peoples of the United States and of foreign counries the advantages of such exhibition as a means of fostering and promoting trade and commerce.

SEC. 3. All articles that shall be imported from foreign countries for the sole purpose of exhibition at the International Trade Exhibition upon which there shall be a tariff or customs duty shall be admitted free of the payment of duty, customs fees, or charges, under such regulations as the Secretary of the Treasury shall prescribe; but it shall be lawful at any time during the exhibition to sell any goods or property imported for and actually on exhibition, subject to such regulations for the security of the revenue and for the collection of import duties as the Secretary of the Treasury may prescribe: *Provided*, That all such articles when sold or withdrawn for consumption or use in the United States shall be subject to the duty, if any, imposed upon such articles by the revenue laws in force at the date of withdrawal; and on such articles which shall have suffered diminution or deterioration from incidental handling and necessary exposure the duty, if paid, shall be assessed according to the appraised value at the time of withdrawal for consumption or use, and the penalties prescribed by law shall be enforced against any person guilty of any illegal sale, use, or withdrawal.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

The SPEAKER. Without objection, the similar House resolution will lie on the table.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

BRIDGE ACROSS ARKANSAS RIVER, ARK.

The next business on the Consent Calendar was the bill (H. R. 12247) 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.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. RAGON. Mr. Speaker, I ask unanimous consent that the Senate bill 4284 be substituted.

The SPEAKER. The gentleman from Arkansas asks unanimous consent to substitute Senate bill 4284. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the Yell and Pope County bridge district, Dardanelle and Russellville, Ark., to construct, maintain, and operate a bridge and approaches thereto across the Arkansas River at a point suitable to the interests of navigation at or near the city of Dardanelle, in the county of Yell, in the State of Arkansas, and in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

The SPEAKER. Without objection, the similar House bill will lie on the table.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

BRIDGE ACROSS THE WHITE RIVER, ARK.

The next business on the Consent Calendar was the bill (H. R. 12266) granting the consent of Congress to authorize R. L. Gaster, his successors and assigns, to construct a bridge across the White River.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. DRIVER. Mr. Speaker, I ask unanimous consent that the Senate bill 4306 be substituted.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that the Senate bill 4306 be substituted. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to R. L. Gaster and his successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the White River at a point suitable to the interests of navigation at or near the town of Augusta, in the county of Woodruff, in the State of Arkansas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The State of Arkansas, or any political subdivision or division thereof, within or adjoining which said bridge is located, may at any time, by agreement or by condemnation in accordance with the laws of said State, acquire all right, title, and interest in said bridge and the approaches thereto constructed under authority of this act, for the purpose of maintaining and operating such bridge as a free bridge, by the payment to the owners of the reasonable value thereof not to exceed in any event the construction cost thereof: *Provided*, That the said State or political subdivision or division thereof may operate such bridge as a toll bridge not to exceed five years from date of acquisition thereof.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

The SPEAKER. Without objection, the similar House bill will lie on the table.

There was no objection.

The SPEAKER. The Clerk will report the next bill.

BRIDGE ACROSS THE WHITE RIVER, ARK.

The next business on the Consent Calendar was the bill (H. R. 12297) 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 title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

Mr. OLDFIELD. Mr. Speaker, I ask unanimous consent that the Senate bill 4317 be substituted for the House bill.

The SPEAKER. The gentleman from Arkansas asks unanimous consent that the Senate bill 4317 be substituted for the House bill. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the county of Jackson, in the State of Arkansas, and its successors, to construct, maintain, and operate a bridge and approaches thereto across the White River, at a point suitable to the interests of navigation, at or near the city of Newport, in the county of Jackson, in the State of Arkansas, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The State of Arkansas, or any political subdivision or division thereof, within or adjoining which said bridge is located, may at any time, by agreement or by condemnation in accordance with the laws of said State, acquire all right, title, and interest in said bridge and the approaches thereto constructed under authority of this act, for the purpose of maintaining and operating such bridge as a free bridge, by the payment to the owners of the reasonable value thereof, not to exceed in any event the construction cost thereof: *Provided*, That the said State or political subdivision or division thereof may operate such bridge as a toll bridge not to exceed five years from date of acquisition thereof.

SEC. 3. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

The SPEAKER. Without objection, the similar House bill will be laid on the table.

There was no objection.

ANNIVERSARY MECKLENBERG DECLARATION OF INDEPENDENCE

Mr. BULWINKLE. Mr. Speaker, I ask unanimous consent that we return to Calendar No. 768, the bill (H. R. 12233) establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the signing of the Mecklenberg Declaration of Independence at the city of Charlotte, N. C., on May 20, 1775, authorizing an appropriation to be utilized in connection with such observance, and for other purposes.

The SPEAKER. The Chair suggests that the gentleman wait until the calendar is completed. The Clerk will report the next bill.

BRIDGE ACROSS THE MISSISSIPPI RIVER

The next business on the Consent Calendar was the bill (H. R. 12264) 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.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Minnesota and the counties of Sherburne and Wright, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Mississippi River at a point suitable to the interests of navigation, at or near the village of Clearwater in the county of Wright, in the State of Minnesota, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

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

PORTAITS OF DANIEL WEBSTER AND HENRY CLAY

The next business on the Consent Calendar was the joint resolution (S. J. Res. 178) to provide for the loaning to the Pennsylvania Academy of the Fine Arts of the portraits of Daniel Webster and Henry Clay.

The title of the resolution was read.

The SPEAKER. Is there objection to the present consideration of this resolution?

There was no objection.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

Resolved, etc., That the Architect of the Capitol be, and he is hereby, authorized to loan to the Pennsylvania Academy of the Fine Arts, Philadelphia, Pa., the portraits of Daniel Webster and Henry Clay, painted by John Neagle, for an exhibition of the works of John Neagle, portrait painter (1796–1865), to be held at said academy from April 11, 1925, to May 13, 1925.

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

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

The SPEAKER. The Clerk will report the next bill.

NAVIGATION OF CASS LAKE, MINN.

The next business on the Consent Calendar was the bill (H. R. 11928) to promote and preserve the navigability of Cass Lake in the State of Minnesota.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman who has this bill in charge what jurisdiction the Committee on Agriculture has over this matter? I ask unanimous consent that the bill be passed over without prejudice.

The SPEAKER. The gentleman from Texas asks unanimous consent that the bill be passed over without prejudice. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the next bill.

DISBURSING AGENTS IN THE DEPARTMENT OF AGRICULTURE

The next business on the Consent Calendar was the bill (S. 3018) to authorize the designation of deputy fiscal or disbursing agents in the Department of Agriculture stationed outside of Washington.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. I object, Mr. Speaker.

MISSISSIPPI RIVER WILD LIFE AND FISH REFUGE

The next business on the Consent Calendar was Senate joint resolution (S. J. Res. 179) to amend section 10 of the act entitled "An act to establish the upper Mississippi River wild life and fish refuge."

The Clerk read the title of the resolution.

The SPEAKER. Is there objection to the present consideration of the Senate joint resolution?

Mr. BEGG. Mr. Speaker, reserving the right to object, I would like to ask what the difference is between this resolution and House Resolution 335?

Mr. BLANTON. Mr. Speaker, I object.

FORT STEVENS

The next business on the Consent Calendar was the bill (H. R. 11365) to establish a national military park at Fort Stevens, in the District of Columbia, and to authorize the acquisition of such lands as may be necessary to preserve said fort.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BEGG. I object, Mr. Speaker.

Mr. WAINWRIGHT. Mr. Speaker, I ask the gentleman from Ohio to reserve his objection in order that the gentleman from Indiana [Mr. COOK] may have an opportunity to explain the bill.

Mr. BEGG. I shall be glad to do the gentleman that courtesy and reserve the objection, but I am going to object. If the gentleman wants to make a statement, however, I shall be glad to reserve my objection.

Mr. COOK. Mr. Speaker, Fort Stevens is located in the northern part of the city of Washington, on the west side of Georgia Avenue. It was one of the forts constructed for the defense of the city in the Civil War. It is the only place where the city was attacked by the Confederate Army in that war. In July, 1864, General Early appeared before this fort with an army of about 20,000 troops. The President of the United States, Mr. Lincoln, went with the Union troops to this fort and stood upon its works while a battle was going on in front of it, and while an officer was mortally wounded within 3 feet of where he stood. It is commemorated now by a monument erected by the survivors of the Sixth Army Corps, and it seems to me, gentlemen, that inasmuch as here is a place within the city of Washington where the President of the United States stood under fire in time of battle that that fact makes it a place of such historic value that it ought to be acquired before it is destroyed by houses or other buildings being constructed over it. The improvements of the city are very close to it now, and it will not be long before it will be too late to obtain it. This bill provides for the acquisition of the fort, which is still in existence, the monument, and such ground around it as may be necessary to properly preserve this historic place.

Mr. WAINWRIGHT. Mr. Speaker, I simply desire to say that the Committee on Military Affairs gave this bill a very full hearing and considered it was a most meritorious measure. This most important landmark and site in the National Capital should be preserved and protected from obliteration by the advance of the city. I certainly hope the gentleman from Ohio [Mr. BEGG] will withdraw his objection and permit this measure to pass.

The SPEAKER. Is there objection?

Mr. BEGG. I object.

BRIDGE ACROSS THE OHIO RIVER

The next business on the Consent Calendar was the bill (H. R. 12301) to extend the time for constructing a bridge across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

Mr. WILSON of Indiana. Mr. Speaker, I ask unanimous consent to substitute a similar Senate bill, Senate bill 4320.

The SPEAKER. The gentleman from Indiana asks unanimous consent to substitute a similar Senate bill. Is there objection?

There was no objection.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by the act of Congress approved June 7, 1924, to be built by the Commonwealth of Kentucky and the State of Indiana across the Ohio River between Vanderburg County, Ind., and Henderson County, Ky., are hereby extended one year and three years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

A similar House bill was laid on the table.

COLLECTION AND EDITING OF OFFICIAL PAPERS OF THE TERRITORIES, AND SO FORTH

The next business on the Consent Calendar was the bill (S. 2935) to authorize the collection and editing of official papers of the Territories of the United States now in the national archives.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Chief of Division of Publications of the Department of State (hereinafter referred to as the editor), under the direction of the Secretary of State, and upon the request of the governor of any State or of any organization duly authorized by him, is authorized and directed to have collected, edited, copied, and suitably arranged for publication, the official papers of the Territory from which such State was formed, now in the national archives, as listed in Parker's "Calendar of papers in Washington archives relating to the Territories of the United States (to 1873)," being publication No. 148 of the Carnegie Institution of Washington, together with such additional papers of like character that may be found. The heads of the several executive departments and independent establishments are directed to cooperate with the editor in such work by giving access to the records and providing facilities for having them copied. The editor is authorized to employ such clerical assistants as may be necessary, and, under the direction of the Secretary of State and without regard to the classification act of 1923 and the civil service laws and regulations made thereunder, to engage the services of not more than five persons who are specially qualified for the editorial work necessary in arranging such Territorial papers for publication. For the salaries of such persons and assistants and all other expenses incurred in connection with such work, there is hereby authorized to be appropriated the sum of $20,000 for the fiscal year ending June 30, 1926, and the same sum for each of the two succeeding fiscal years.

SEC. 2. The Secretary of State shall, upon application, furnish without charge to the proper authorities of the several States for publication, a copy of such papers, or any part thereof, as arranged by the editor.

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

DISCONTINUANCE OF CERTAIN GOVERNMENT PUBLICATIONS

The next business on the Consent Calendar was the bill (S. 3633) to amend the printing act approved January 12, 1895, by discontinuing the printing of certain Government publications, and for other purposes.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON, Mr. BRIGGS, and Mr. SCHAFER objected.

Mr. KIESS. Mr. Speaker, I hope the gentlemen will withhold their objections, because I think when they understand the amendments that are going to be offered they will have no objection.

Mr. BLANTON. I withdraw my objection, Mr. Speaker.

The SPEAKER. Do the other gentlemen withhold their objections?

Mr. SCHAFER. I withdraw mine, Mr. Speaker.

Mr. BRIGGS. I would like to know what the proposed amendments are first.

Mr. KIESS. I appreciate the courtesy of the gentlemen in withholding their objections, and I think when they know about the amendments we propose to offer to this bill, which is merely to affect the printing laws applicable to the House especially, they will have no objection. We are going to offer amendments striking out some of the provisions of this bill, and we are going to offer some amendments which will provide an increase of the number of documents supplied to the document room. The law that is in effect now was passed when we only had 360 Members of Congress, and to-day, as you know, the document room is not able at times to supply a sufficient number, and we want to increase the number to 500 copies.

Mr. BRIGGS. Why is this provision in the bill striking out the printing of certain annual reports from the departments which keep Congress posted every year on what is being done by the executive branch of the Government?

Mr. KIESS. The gentleman from Oklahoma [Mr. MCKEOWN] is going to offer an amendment striking that provision out. That provision is now carried in an appropriation bill.

Mr. BRIGGS. I understand that, but it is only current law. This would be permanent law.

Mr. KIESS. We have agreed upon an amendment to be offered by the gentleman from Oklahoma [Mr. MCKEOWN] striking out that section.

Mr. BRIGGS. How about section 5, relating to the abridgment of messages and documents? I think that is a very valuable work.

Mr. KIESS. There is duplication at present, and we offer this provision in order to save money. That is all printed now and printing it in this form is simply duplicating the cost.

Mr. HUDSPETH. I would like to ask the gentleman a question for information.

Mr. KIESS. I yield to the gentleman.

Mr. HUDSPETH. I gathered the impression that this is curtailing the number of farmers' bulletins we send out and other public documents of that kind.

Mr. KIESS. No; we are trying to increase the number.

Mr. HUDSPETH. If it was the purpose to curtail them, I would certainly object.

Mr. KIESS. That is not the case at all.

Mr. HUDSPETH. Is it the purpose to cut down any of the bulletins that we send out relative to agriculture and the live-stock industry?

Mr. KIESS. Absolutely not. We are increasing the number and allowing them to print more than 1,000.

Mr. BRIGGS. Will the gentleman answer another question? Why is it that a Member of Congress used to be able to have a map mounted, but they can not have that done any more? We can have any sort of document bound, but if we have a United States map come to us, upon which the Government has spent thousands of dollars in its preparation, if it happens to be in four sheets we can not get that map mounted at all. We can not even get one map mounted.

Mr. KIESS. I can not answer that.

Mr. BRIGGS. They tell me it is because of a ruling of the Joint Committee on Printing which prohibits it.

Mr. KIESS. That may be true; but I do not recall such a ruling.

Mr. BRIGGS. The gentleman is at the head of the House section of that committee, why does not the gentleman make some provision whereby the Members of Congress can have the matter attended to?

Mr. KIESS. This is the first time the matter has been brought to my attention.

Mr. JOHNSON of Washington. I think it is not on account of a ruling by the joint committee; perhaps it may be on account of shortage of funds.

Mr. BRIGGS. No; it is not on account of shortage of funds, because I have run across that situation time and time again. We receive some very valuable maps, and I am wondering why in this bill some effort has not been made to remedy that situation, if it can be done under the law.

Mr. KIESS. I think we can accomplish that by a ruling of the joint committee, and I am glad the gentleman has called my attention to the matter. This is the first time anybody had spoken to me about it. I hope the gentleman will not object to the consideration of this bill at this time, and I can assure the gentleman we are going to amend the section to which he refers in such a way as to meet his objection.

Mr. BRIGGS. I also want to ask about the Official Register. I get occasional demands for that publication.

Mr. KIESS. We are going to offer an amendment to that section, and the gentleman from Washington [Mr. JOHNSON] will explain it fully.

Mr. JOHNSON of Washington. If the gentleman will yield, I might as well explain that now. The Official Register is printed under a very old—about 1820—law and contains the names of employees of the Government, including those who are paid by the day. It can not be kept accurately compiled. Its printing in full is unnecessary, and is a great waste. All that the Members and others really need is contained in these 60 pages which I have here [indicating], showing the principal Federal officials. This can be kept accurately compiled, and instead of printing it every two years it can be printed every year. We will do away with including the names of employees on ships and in navy yards, and so on. We will save a large sum each year, and instead of giving each Member one copy each Member will be given three copies. It will be a catalogue of the Federal appointive officers in the United States, while as it is now it is a general directory of Federal employees.

Mr. BRIGGS. I see nothing about it in this bill, but I have often wondered why it is that often the Members of the House want a particular bill and they can not get a copy of it because they only have about 315 printed copies or something of that kind for 435 Members and frequently the pages come back and say that we can not get the bill because the supply is exhausted.

Mr. JOHNSON of Washington. The committee has tried for several years to get the number increased to 500, and we are going to offer an amendment to that effect to this bill.

Mr. BRIGGS. That amendment will be offered to this bill?

Mr. JOHNSON of Washington. Yes.

Mr. BRIGGS. That is just what I wanted to find out. I shall not object.

Mr. KIESS. We are going to try to perfect this bill so that the Sixty-ninth Congress will start right.

Mr. HILL of Alabama. I understand that this bill will permit an increase in the number of farmers' bulletins and publications of the Health Service; is that correct?

Mr. KIESS. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the act providing for the public printing and binding and the distribution of public documents, approved January 12, 1895, be, and is hereby, amended to read as follows:

PURCHASE OF PAPER

"SEC. 3. The Joint Committee on Printing shall fix upon standards of paper for the different descriptions of public printing and binding, and the Public Printer shall under their direction, advertise in one newspaper or trade journal, published in each of six cities, for sealed proposals to furnish the Government with paper, as specified in the schedule to be furnished applicants by the Public Printer, setting forth in detail the quality and quantities required for the public printing. And the Public Printer shall furnish samples of the standard of papers fixed upon to applicants therefor who shall desire to bid."

OFFICIAL REGISTER

SEC. 2. That section 510 of the Revised Statutes of the United States, and all acts or parts of acts amendatory thereof or supplemental thereto, be, and the same are hereby, repealed.

NAVY YEARBOOK

SEC. 3. That so much of the sundry civil appropriation act for 1911 (36 Stats. L. p. 766), approved June 25, 1910, and all acts or parts of acts amendatory thereof or supplemental thereto, as provides for the compilation and printing of the Navy Yearbook, be, and the same are hereby, repealed.

DEPARTMENTAL PUBLICATIONS

SEC. 4. That so much of section 89 of the printing act approved January 12, 1895, and all acts or parts of acts amendatory thereof or supplemental thereto, as limits the number of reports and documents that may be printed for official use to 1,000 copies, be, and the same are hereby, repealed.

ABRIDGMENT OF MESSAGES AND DOCUMENTS

SEC. 5. That so much of section 73 of the printing act approved January 12, 1895, and all acts or parts of acts amendatory thereof or supplemental thereto, as provides for the preparation and printing of abridgment of messages and documents annually, be, and the same are hereby, repealed.

PRINTING OF ANNUAL REPORTS

SEC. 6. That the heads of the various executive departments, independent offices, and establishments of the Government are hereby authorized to discontinue the printing of any annual or special reports under their respective jurisdiction: *Provided*, That where the printing of such reports is discontinued the original copy thereof shall be kept on file in the office of the head of the respective executive department, independent office, or establishment of the Government for public inspection.

Mr. JOHNSON of Washington. Mr. Speaker, I offer the following amendment. Strike out lines 10 and 13 and insert the matter I send to the Clerk's desk.

The Clerk read as follows:

Amendment offered by Mr. JOHNSON of Washington: Strike out all of section 2 and insert:

"OFFICIAL REGISTER

"SEC. 2. (a) That the Director of the Census shall cause to be compiled, edited, indexed, and published, on or before the first Monday in October of each year an Official Register of the United States which shall contain a full and complete list of all persons occupying administrative and supervisory positions in each executive and judicial department of the Government, including the District of Columbia, in connection with which salaries are paid from the Treasury of the United States. The register shall show the name; official title; salary, compensation, and emoluments; legal residence; and place of employment for each person listed therein; *Provided, however*, That the Official Register shall not contain the name of any postmaster, assistant postmaster, or officer of the Army, Navy, and Marine Corps.

"(b) To enable the Director of the Census to compile and publish the Official Register of the United States, the Executive Office, the judiciary, the Commissioners of the District of Columbia, and the head of each executive department, independent office, establishment, and commission of the Government shall, as of the 1st day of July of each year, supply to the Director of the Census the data required by this section, upon forms approved and furnished by him, in due time to permit the publication of the Official Register as herein provided; and no extra compensation shall be allowed to any officer, clerk, or employee of the Bureau of the Census for compiling the Official Register.

"(c) Of the Official Register there shall be printed and bound a sufficient number of copies for the following distribution to be made by the Superintendent of Documents: To the President of the United States, 4 copies, 1 copy of which shall be for the library of the Executive Office; to the Vice President of the United States, 2 copies; to each Senator, Representative, Delegate, and Resident Commisisoner in Congress, 3 copies; to the Secretary and the Sergeant at Arms of the Senate and to the Clerk, the Sergeant at Arms, and the Doorkeeper of the House, 1 copy each; to the library of the Senate and the House, each, not to exceed 15 copies; to the Library of Congress, 25 copies; and to the Commissioners of the District of Columbia, 10 copies. The usual number of the Official Register shall not be printed.

"(d) That section 510 of the Revised Statutes of the United States, and all acts or parts of acts amendatory thereof or supplemental thereto, be, and the same are hereby, repealed."

The amendment was agreed to.

Mr. McKEOWN. Mr. Speaker, I offer the following amendment:

Page 3, line 10, strike out section 6.

Mr. KIESS. Mr. Speaker, I accept that amendment.

The SPEAKER. The question is on the amendment.

The amendment was agreed to.

Mr. KIESS. Mr. Speaker, I offer the following amendment.

The Clerk read as follows:

At the end of the bill insert a new section, as follows:

"DISTRIBUTION OF CONGRESSIONAL DOCUMENTS AND REPORTS

"SEC. —. That hereafter, in the printing of House and Senate numbered documents and reports, there shall be distributed, unbound, to the House Document Room not to exceed 500 copies."

Mr. BLANTON. Mr. Speaker, if that amendment is passed, will the documents be prorated through the document room?

Mr. KIESS. They will go to the document room, the same as they do now.

Mr. BLANTON. And be prorated to the Members?

Mr. KIESS. No; there is no prorating in documents that go to the document room. Those that are prorated go to the folding room. These bills and reports at the present time are only printed in the number of 360. When that was passed we had only 345 Members. Now we have 435.

Mr. BLANTON. And under this there would be at least one appropriation bill for each Member of Congress?

Mr. KIESS. Yes.

The amendment was agreed to.

Mr. KIESS. Mr. Speaker, I offer the following committee amendment:

The Clerk read the amendment, as follows:

Amendment by Mr. KIESS: At the end of the bill add a new section, as follows:

"PUBLICATIONS FOR LIBRARY OF CONGRESS

"SEC. —. That hereafter there shall be printed and delivered to the Library of Congress, for its own use and for international exchange, 125 copies in lieu of the number now provided by law."

The amendment was agreed to.

The bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

EQUALIZING THE PAY OF RETIRED OFFICERS OF THE ARMY, NAVY, MARINE CORPS, COAST GUARD, ETC.

The next business on the Consent Calendar was the bill (S. 2294) to equalize the pay of retired officers of the Army, Navy, Marine Corps, Coast Guard, Coast and Geodetic Survey, and Public Health Service.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. I object.

GRANT OF LAND FOR SCHOOL PURPOSES, SUN RIVER PROJECT, MONTANA

The next business on the Consent Calendar was the bill (H. R. 11540) making a grant of land for school purposes, Fort Shaw division, Sun River project, Montana.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Interior is hereby authorized and directed to issue patent conveying lots 14 and 15, section 2, and lots 11 and 12, section 11, township 20 east, range 2 west, containing 30.54 acres, to school district No. 82, Cascade County, State of Montana, for school purposes.

The Clerk read the following committee amendments:

Line 5, strike out the word "east" and insert in lieu thereof the word "north."

On line 6, strike out the words "fifty-four" and insert in lieu thereof "seventy-six."

On line 8, following the word "purposes," strike out the period and insert in lieu thereof a semicolon and add:

"*Provided*, That this grant is made upon the payment of $1.25 per acre: *Provided further*, That said patent shall be issued upon the express condition that the said school district shall use said tract of land for public-school purposes: *Provided further*, That whenever said land shall cease to be used by said school district for school purposes or attempted to be sold or conveyed, then, and in that event, title to such land and the whole thereof shall revert to the United States: *Provided further*, That such patent shall contain a reservation to the United States of all gas, oil, coal, and other mineral deposits as may be found in such land and the right to the use of the land for extracting and removing the same."

The amendments were agreed to.

The bill as amended was ordered to be engrossed and read the third time, was read the third time, and passed.

HISTORICAL FRIEZE IN THE ROTUNDA OF THE CAPITOL

The SPEAKER. The Senate joint resolution in respect to the restoration and completion of the historical frieze in the rotunda of the Capitol has come over from the Senate. This

is No. 773 on the calendar, to which consent has been given. The Clerk will report the Senate joint resolution.

The Clerk read as follows:

Senate Joint Resolution 28

Resolved, etc., That the Joint Committee on the Library be, and it is hereby, authorized to provide for the restoration and completion of the historical frieze in the rotunda of the Capitol. For that purpose the said joint committee is empowered to select an appropriate design for the completion of the frieze and to employ such artists in the work of completion and restoration as may demonstrate to the satisfaction of said joint committee their ability to perform the work in a proper manner.

SEC. 2. That there is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $40,000, or so much thereof as may be necessary, for the purposes of this resolution.

Mr. MONTAGUE. Mr. Speaker, before the vote is taken I rise to make a suggestion. I am not opposed to this resolution, but I think the membership of the House should understand that unless we do something more substantial in the way of improving or repairing the supporting walls of the dome we will not stop these leaks. It is a question of time when we will have to appropriate more money to do this artistic work again.

The SPEAKER. The question is on the third reading of the Senate joint resolution.

The Senate joint resolution was ordered to be read a third time, was read the third time, and passed.

MESSAGE FROM THE SENATE

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. 6095. An act to authorize the Secretary of War to sell real property, to wit, a portion of the Fort Revere Reservation at Hull, Mass.; and

H. R. 11701. An act to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887.

The message also announced that the Senate had agreed to the amendments of the House of Representatives to bill and joint resolution of the following titles:

S. 1707. An act appropriating money to purchase lands for the Clallam Tribe of Indians in the State of Washington, and for other purposes; and

S. J. Res. 124. Joint resolution to provide for the posthumous appointment to commissioned grades of certain enlisted men and the posthumous promotion of certain commissioned officers.

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. 4207) 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.

The message also announced that the Senate had passed bill of the following title, in which the concurrence of the House of Representatives was requested:

S. 594. An act for the relief of Wynona A. Dixon.

SENATE BILLS REFERRED

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

S. 916. An act to amend the trading with the enemy act; to the Committee on Interstate and Foreign Commerce.

S. 3826. An act to restore to the public domain certain lands within the Casa Grande Ruins National Monument, and for other purposes; to the Committee on the Public Lands.

S. 4377. An act to permit a compact or agreement between the States of Washington, Idaho, Oregon, and Montana respecting the disposition and apportionment of the waters of the Columbia River and its tributaries, and for other purposes; to the Committee on Irrigation and Reclamation.

S. 4151. An act to provide for aided and directed settlement on Government land in irrigation projects; to the Committee on Irrigation.

S. 4161. An act authorizing the transfer of abandoned and unused lighthouse reservation lands and buildings to States, counties, or municipalities for public park purposes, and authorizing the transfer of lighthouse reservation lands and buildings in exchange for other real property, and for other purposes; to the Committee on Interstate and Foreign Commerce.

S. 4183. An act to amend paragraph (11), section 20, of the interstate commerce act; to the Committee on Interstate and Foreign Commerce.

S. 4343. An act authorizing the construction, maintenance, and operation of a bridge across the Mississippi River between the cities of Prairie du Chien, Wis., and McGregor, Iowa; to the Committee on Interstate and Foreign Commerce.

S. 872. An act to amend section 1 of the act of Congress of March 3, 1921 (41 Stat. L. p. 1249), entitled "An act to amend section 3 of the act of Congress of June 28, 1906, entitled 'An act for the division of the lands and funds of the Osage Indians in Oklahoma, and for other purposes'"; to the Committee on Indian Affairs.

S. J. Res. 41. Joint resolution authorizing a joint committee of both Houses to investigate the Harriman geographic code system, now in use by the War Department, with a view to ascertaining the adaptability and application of said system in the several executive departments and administrative branches of the Government, and to rendering a just compensation to the owner thereof; to the Committee on Rules.

S. J. Res. 166. Joint resolution authorizing the establishment of a commission to be known as the Sesquicentennial of the Independence of the United States, in commemoration of the one hundred and fiftieth anniversary of the signing of the Declaration of Independence; to the Committee on the Library.

STATUS OF SWAINS ISLAND

The next business on the Consent Calendar was the joint resolution (H. J. Res. 294) extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. HUDDLESTON. Mr. Speaker, reserving the right to object, this seems to be a pretty important measure, and I think we ought to have some explanation of it.

Mr. MOORES of Indiana. Mr. Speaker, I shall be very glad to explain it. This island involves a question of disputed jurisdiction. It has belonged to an American family named Jennings for three generations, since 1856. In 1856 Congress passed an act taking jurisdiction over all guano islands which were owned by American citizens, and this island was listed as one of them. The question has been made as to whether it is within the jurisdiction, for this reason: It is a guano island. There is guano on it, but the rains are so frequent and heavy that the guano is washed away. It is an atoll 20 feet in height at the highest point. It is a mile and a half long. It is a mile wide. It has no anchorage. It belongs to an American named Alexander Jennings and it has a population of 70 people. It is 205 miles north of American Samoa and is naturally appurtenant to it. It has been listed, as I say, as an American possession.

Mr. HUDDLESTON. Who claims it? What other power claims jurisdiction over it?

Mr. MOORES of Indiana. England has disclaimed ownership, although it has been claimed by some people that England owns it.

Mr. MOORE of Virginia. No other power makes any claim to it?

Mr. MOORES of Indiana. No.

Mr. HUDDLESTON. The gentleman stated that there is a disputed jurisdiction. What is the dispute?

Mr. MOORES of Indiana. The owner of the island is the third generation and he has come into its possession by wills. There has been a question as to the probate of those wills in the consular courts. There are three or four questions. The man wants to retain his American rights. There are contentions which ought to be settled in the consular courts.

Mr. HUDDLESTON. Has this matter been submitted to the State Department?

Mr. MOORES of Indiana. The State Department recommends it earnestly, and the President submits to the committee a letter from the Secretary of State setting out the whole history of the island, which is in the report.

Mr. HUDDLESTON. And recommending what?

Mr. MOORES of Indiana. The President recommends that we pass this bill so as to settle the question of jurisdiction.

The SPEAKER. Is there objection to the present consideration of the resolution?

Mr. LAGUARIDA. Mr. Speaker, reserving the right to object——

Mr. MOORES of Indiana. I might add that by some oversight in the Printing Office the President's letter was omitted from the House report, but it appears in the Senate report.

Mr. HUDDLESTON. And the Secretary of State unqualifiedly recommends the passage of this resolution?

Mr. MOORES of Indiana. Yes.

Mr. LAGUARDIA. The gentleman says that Mr. Jennings, who owns this island, is anxious to have this resolution passed. The gentleman also said that 70 people inhabit the island. Have they been consulted?

Mr. MOORES of Indiana. Those people are entirely satisfied, as I understand. The Navy Department and the consul general sent a naval officer over to the island and he interviewed every person on the island. The only dissatisfied person was a woman who said that she was dissatisfied because she could not get fish on Saturday.

Mr. LAGUARDIA. Where does Mr. Jennings live?

Mr. MOORES of Indiana. On the island.

Mr. LAGUARDIA. The resolution says that there has been no government there for 50 years. What sort of government do they have?

Mr. MOORES of Indiana. The Matai Government, which is patriarchal. Mr. Jennings was the Matai of the island and under the patriarchal system is the chief magistrate.

Mr. LAGUARDIA. And the present owner is of the third generation? How did they acquire their American citizenship?

Mr. MOORES of Indiana. Mr. Jennings is of the third generation of Americans. The original Jennings was born in New England, and the second one was born in Samoa, and the third one on this island.

Mr. LAGUARDIA. Have they been expatriated by their long residence on foreign territory? Does not the law apply to them as well as to others?

Mr. MOORES of Indiana. It is not foreign territory. It does not belong to any other nation. It belongs to us.

Mr. LAGUARDIA. Mr. Speaker, I object.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. Will the gentleman withhold that for a moment while the Chair makes a statement?

Mr. BLANTON. Certainly.

The SPEAKER. The Chair suggests for the information of Members that the purpose of the Chair was to go on with the Consent Calendar before recognizing anyone for suspensions, and try to finish the Consent Calendar. If the Chair feels there is evidence of filibuster, he thinks he should immediately go to suspensions.

Mr. BLANTON. Mr. Speaker, I have a very good reason for making the point of order.

The SPEAKER. The Chair makes no suggestion about that. The Chair will count. [After counting.] It is evident that there is no quorum present.

Mr. BEGG. Mr. Speaker, I move a call of the House.

The motion was agreed to.

The doors were closed, and the Sergeant at Arms was directed to bring in absent Members, and the Clerk to call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 91]

Abernethy	Favrot	McDuffie	Schall
Anthony	Fulbright	McFadden	Seger
Barbour	Garner, Tex.	McLeod	Sinclair
Berger	Geran	McNulty	Snyder
Bixler	Glatfelter	McSweeney	Spearing
Brand, Ohio	Griffin	Major, Ill.	Sproul, Ill.
Britten	Guyer	Mead	Sproul, Kans.
Browne, N. J.	Hardy	Miller, Ill.	Stalker
Bulwinkle	Hastings	Moore, Ill.	Sullivan
Butler	Johnson, W. Va.	Morin	Swoope
Carter	Jost	Nelson, Wis.	Taylor, Colo.
Clark, Fla.	Kendall	O'Brien	Vare
Connolly, Pa.	Kent	O'Sullivan	Voigt
Corning	Kindred	Peavey	Ward, N. C.
Curry	Kunz	Peery	Wefald
Davis, Minn.	Langley	Perkins	Weller
Dempsey	Lankford	Perlman	Welsh
Dickinson, Iowa	Larson, Minn.	Porter	Wertz
Dickstein	Lazaro	Prall	Wolff
Dominick	Lea, Calif.	Rogers, Mass.	Wood
Doyle	Lilly	Rogers, N. H.	Wurzbach
Eagan	Logan	Rosenbloom	Yates
Edmonds	Lowrey	Salmon	
Fairfield	Lyon	Sanders, Ind.	

The SPEAKER. Three hundred and thirty-seven Members have answered to their names. A quorum is present.

Mr. BEGG. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER. The Doorkeeper will open the doors.

UNVEILING OF BUSTS OF HON. CHAMP CLARK AND HON. JAMES R. MANN

Mr. LUCE. Mr. Speaker, acting under direction of the House, the Committee on the Library has caused to be secured and to be placed in one of the corridors of the Capitol busts of former Speaker Champ Clark and of former Representative James R. Mann. I ask unanimous consent that the remarks made upon the occasion of the unveiling of those busts may be inserted in the RECORD. [Applause.]

The SPEAKER. Is there objection to the request of the gentleman from Massachusetts? [After a pause.] The Chair hears none.

Mr. LUCE. Mr. Speaker, under the leave granted me to extend my remarks I insert the proceedings of exercises at the unveiling of the busts of the late Hon. Champ Clark and the late Hon. James R. Mann, as follows:

PROCEEDINGS OF EXERCISES AT THE UNVEILING OF THE BUSTS OF THE LATE HON. JAMES R. MANN AND THE LATE HON. CHAMP CLARK

WASHINGTON, D. C., *Saturday, February 28, 1925.*

The following proceedings were held in the corridor of the Capitol at the entrance to Statuary Hall at 11 o'clock a. m., Hon. ROBERT LUCE, of Massachusetts, chairman of the Committee on the Library, House of Representatives, presiding.

Mr. LUCE. The following resolution was adopted by the House March 1, 1923:

House Resolution 568

IN THE HOUSE OF REPRESENTATIVES,

March 1, 1923.

Mr. MADDEN submitted the following resolution; which was agreed to:

Resolved, That the sum of $4,000 is authorized to be paid from the contingent fund of the House for the procurement of a marble bust of Champ Clark, late a Representative from the State of Missouri, and a marble bust of James R. Mann, late a Representative from the State of Illinois. The expenditure of the sum herein authorized shall be made under the direction of the Committee on the Library.

In accordance with that resolution, the Committee on the Library has secured the busts, which have been placed in position, and which we will unveil with simple ceremonies.

I will ask Miss Major to unveil the bust of Champ Clark.

(The bust of the late Hon. Champ Clark was thereupon unveiled by Miss Sarah L. Major, a daughter of Hon. SAMUEL C. MAJOR, a Representative in Congress from the State of Missouri.)

Mr. LUCE. I will ask Representative MADDEN, the dean of the Illinois delegation, to unveil the bust of Mr. Mann.

(The bust of the late Hon. James R. Mann was thereupon unveiled by Hon. MARTIN B. MADDEN, a Representative in Congress from the State of Illinois.)

Mr. LUCE. Mr. MADDEN will say a few words in memory of Mr. Clark and Mr. Mann and in recognition of the unveiling of the busts.

ADDRESS OF HON. MARTIN B. MADDEN, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF ILLINOIS

Mr. MADDEN. It is my very great privilege to have served in the House of Representatives with both Mr. Clark and Mr. Mann. As presiding officer of the House, no man ever presided with greater dignity or fairness or ability than did Champ Clark, the distinguished citizen from Missouri.

Champ Clark and James R. Mann were bosom friends; Clark a great Democrat, Mann a great Republican; Clark as Speaker of the House, Mann as leader of his party on the floor. Constant clashes as to parliamentary procedure arose, and always Mr. Mann was ready to meet the situation whatever it turned out to be; Mr. Clark always, with his judicial fairness, decided the question impartially.

No two men of greater genius ever served the American people in the Congress of the United States than these two men. Altogether different, these men were the closest friends that I have ever known. Mann always ready to push forward the interests of his party; Clark always ready to protect the interests of his. But whatever the occasion or whatever the controversy, they never quarreled. All other people might quarrel, but these two men always remained friends.

It was one of the greatest privileges of my service, after the death of these two men, to be the instrumentality through which their memory was to be preserved in these halls by the erection of the busts which we are here to dedicate to-day. These are the two first men who ever served in the House of Representatives who have had such a tribute paid to their service; and these two men deserved that tribute as no other two men that I ever knew deserved it.

It is a great privilege to meet here with Missouri and with Illinois to pay tribute to the favorite sons from these two great States. We can add nothing to the work they did or to the record they made. No man can take away the glory of the record of service of either of these men. They were untiring in their efforts for the advancement of the interests of America and its people. Both were great humanitarians.

They believed in the promotion of the legislation which might ameliorate conditions for the people everywhere. Mann was a distinctly human institution. So was Mr. Clark. Their lifework was unselfishly devoted to the cause of the people. They had no personal object in the service they were rendering in the Congress of the United States. Their object was solely to promote the people's good and to advance the cause of civilization in its best sense. They left a record of achievement and service which we can all afford to emulate, and those of the dear ones of their families who are left behind may well feel proud of the record these men made, for I believe that no two men ever served with greater distinction in the halls of the House of Representatives than Champ Clark and Jim Mann. [Applause.]

Mr. LUCE. Representative CANNON, of Missouri, represents the district formerly represented by Speaker Clark. I will now ask him to speak.

ADDRESS OF HON. CLARENCE CANNON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI

Mr. CANNON. Mr. Chairman, the history of a nation is written in the biography of its great men. The richest heritage of a people lies not in the wealth of its material resources or in the vastness of its territorial domain, but in the treasured memories of patriarchs who have indited its codes, established its institutions, and molded its highest ideals of citizenship. And any people which does not remember its great men and commemorate their virtues and their deeds will not long produce men deserving of remembrance, or deeds and virtues worthy of commemoration.

Beyond this portal in our national hall of remembrance, the vaulted arches of which echoed the eloquence of Webster, the logic of Clay, and the measured conciliations of Calhoun, we have placed in grateful appreciation our memorials to those immortals whose high qualities of mind and soul contributed to the establishment and perpetuity of our Government and to the welfare and happiness and progress and prosperity of our country and our kind. Sculptured in enduring marble or wrought in deathless bronze they stand, as the centuries come and go, to each succeeding generation a never-failing remainder of a glorious past, an ever-impelling incentive to nobler national aspirations.

But from the very terms of its inception, placing the privilege of designation in the States and limiting the quota of each State to two, it inevitably follows that this stately hall of fame belongs not to the Nation but to the States; that it is a pantheon of the States rather than of the Republic.

For example, the State of Virginia has fitly chosen from her inexhaustible galaxy of noble sons to represent her in this American Valhalla the names of Washington and Lee, passing by, necessarily the name of Thomas Jefferson, the most profound thinker of all American statesmen, living or dead.

Notable also by their absence from this historic chamber are: John Hancock, of Massachusetts, who "wrote his name where all nations might behold it and where all time should not efface it"; Alexander Hamilton and Chief Justice Marshall, who, probably next to Jefferson, left their impress on the Federal Constitution; Benjamin Franklin; Washington alone excepted, the noblest patriot of the Revolution; John Oglethorpe, patron saint of Georgia; Andrew Jackson, implacable and imperious foe of secession and centralized financial autocracy, who were he President to-day would unquestionably veto any measure authorizing branch banking if it ever reached the White House; John Quincy Adams, the only ex-President to sit in Congress, who died in his chair within that very Hall; the joint preservers of the Union, Lincoln and Grant; our American literati, Emerson, Lowell, Longfellow, Whittier, Hawthorn, Cooper, and Clements; and, coming down to our own day and time, Theodore Roosevelt, Woodrow Wilson, and a long line of eminent Americans, loved and revered by the Nation, but under the terms of its authorization forever excluded from the sacred precincts of Statuary Hall.

But for him who looks down upon us here, so marvelously delineated, in marble stainless as the life he lived, there has been reserved a rarer distinction. The two pedestals allotted to his State were filled by the General Assembly of Missouri almost a generation ago in the selection of Thomas H. Benton and Francis P. Blair, and there no longer remains in Statuary Hall room for any more Missourians, however superlative their greatness. And so this surpassing tribute to the great Speaker of the House, the first bust of any of that stately procession of men who have presided over the House, from Muhlenberg down to LONGWORTH, to find a place in the National Capitol, comes not as a gift from the great State of Missouri, which so loved him and so delighted to honor him, but he and his distinguished colleague here are from a constituency vaster than that of any single State. They are here as the representatives of the Nation. Their statues are here as a gift of the American people at large.

How infinitely appropriate it is that these two should stand here thus in mutual companionship! In yonder Chamber they served together for more than a quarter of a century, in a friendship which deserves to rank with that of Damon and Pythias, with that of Jonathan and David. I remember hearing Speaker Clark say on one occasion, in referring to Mr. Mann, that he knew more about the procedure of the House and was better fitted to serve there than any other man who ever sat in the American Congress. And upon another occasion Mr. Mann said, "Champ Clark is worthy in character, in ability, and in lofty soul to fill with honor and distinction any position in this Government or in any other Government on earth."

Let us believe that standing here, within view of the scene of their labors and their triumphs, living over again together the scenes of other days, they still commune in spirit as in effigy.

This bust of Speaker Clark is a tribute not only to his greatness and his service to the Government, but it is a testimonial of the high regard in which he was held by the House and of that deep affection which he felt for the House and his colleagues in return. More than once he could have been governor of his State. He might have been president of the great Missouri University. Twice he refused a seat in the United States Senate. He declined the Vice Presidency of the United States, when nomination and election were assured, preferring upon each memorable occasion the fellowship and service of the House, for which he was so eminently fitted.

His attitude is aptly expressed by a statement made in 1912, particularly pertinent to-day in view of recent legislation affecting the salaries of the Members of Congress. He said: "If the salary of a Congressman was decreased to $5,000, I would still desire to remain here; if it was lowered to $3,500, I would still wish to be a Member of this House; and if it was reduced to nothing, I would stay here and serve, with the approval of my constituents, as long as I could honorably support my family."

He was peculiarly fitted for the arena of the House. A brilliant orator, a versatile and aggressive debater, he wielded the mace of Richard Cœur de Lion rather than the scimitar of Saladin, and like Richard was ever in the van where the press of battle was heaviest. As sincere and zealous as he was courageous and forceful, there was about him the glamor and romance of the giant crusader whom he so strikingly resembled in bulk and might of frame and intrepidity of spirit.

He was one of the best read men in Congress and was one of its most scholarly students of English literature. He knew the Bible as few laymen know it and quoted Holy Writ perhaps more frequently and more accurately than any contemporary in public life. From the treasuries of his own mind he could doubtless have vindicated his oft quoted statement:

"It is safe to say that if every Bible now printed in all the languages spoken by the children of men was suddenly burned by the public hangman, it might be completely reproduced from the literature and memory of the world."

So comprehensive was his knowledge of American history and politics that it was jocularly written of him by one of the noted journalists of his time that if he were bound in buckram he could be sold broadcast as a supplement to any good encyclopaedia of American history, and his "Quarter Century of American Politics" is a mine of invaluable historic data as well as one of the most readable works ever bequeathed to posterity.

His career and his service in the House may be epitomized in the words of Conkling, describing Grant, which Speaker Clark himself so often quoted:

> "His fame was born not alone of things written and said, but of the arduous greatness of things done."

When Champ Clark succeeded to the minority leadership of the House in 1908, the situation of his party was desperate in the extreme. The crushing defeat of 1904 had left only one Democratic governor outside the solid South. His party did not control a single branch of a single legislature north of the Mason and Dixon line, and a scant two dozen Democratic Congressmen were returned to the House of Representatives from Northern and Western States following that disastrous campaign. To further complicate the difficulties of the situation, the Democratic Party in the House was torn and rent by internal schism and dissension. For 16 years the Democratic minority had never voted as a unit upon a single dominant question.

Confronted by this all but hopeless situation Champ Clark rallied the shattered fragments of his party, placated the recalcitrants, fused hope into the discouraged, and disciplined his forces into a fighting minority which, in the spectacular battles of the Sixty-first Congress, overthrew the autocracy of the Speaker, broke the iron ring that controlled the House, liberalized the rules, defeated the intrenched forces that had controlled legislation for more than a decade, and made possible the sweeping victories which gave his party a majority in the Sixty-second Congress in 1910, and complete control of every branch of the Government in 1912.

Of course, it was inevitable that he should succeed to the Speakership. He is the first and only Speaker in the history of the House of Representatives to come to the Speakership for the first time with the

unanimous indorsement of his party, and on that account we are perhaps prone to minimize the greatness of that achievement. Under our form of Government the Speakership of the House of Representatives is second in importance and power only to the Presidency itself, and it is correspondingly difficult of attainment and of administration. There are 435 Members of the House of Representatives. They come from every section of the country and from every walk and station in life. There are among them many unusual men—men who have attained their seats in Congress in the face of fiercest competition and frequently by the most desperate fighting. They are the strong men of their generation.

It is this body of veteran and experienced statesmen which selects the Speaker of the House. In that selection only ability counts. By long trial they know a man for what he is, and he must be a superman indeed who can attain to that eminence in so large and representative a body of brilliant and able men.

For eight years Champ Clark looked down from that dizzy height. Not merely that, but for two years before and for two years afterwards he was minority leader. He was for 12 consecutive years the leader of his party in Congress—a record never before equaled by any leader of any party since the founding of the Republic, a record which in all probability will not be again equaled in the next two hundred years.

I wish there were time to speak of the presidential campaign—how at Baltimore for 29 ballots he led the field, and for 9 ballots he polled a clear majority of the entire membership of the convention, coming closer to the Presidency of the United States, the greatest office ever conceived by the brain of man, than any other American who ever aspired to that high place without attaining it.

How accurate an estimate he was able to make of his own powers and destiny is illustrated by an episode which possibly has not been told before. When the news was brought to him late in the afternoon of that eventful day, as he sat in his office in the Capitol, that for the first time he had received a majority of the votes of the delegates to the convention, when his ultimate nomination seemed then merely a matter of formal routine, he leaned back in his chair and said, "I have always thought I would be President."

But fate weighted the balances, and on the forty-sixth ballot the Missouri delegation, standing like the last regiment at Waterloo, overwhelmed, but unconquered and unconquerable, rose in a body and with tear-dimmed eyes for the last time cast "36 votes for Champ Clark."

There have been carriers of calumny who have said that in that hour of trial Champ Clark wavered in the breach. Permit me, here and now, out of my intimate association with him at the time, to correct any such erroneous impression. He promptly telegraphed to his victorious antagonist at Seagirt, "I congratulate you upon your well-earned victory. I will do all that I can to help elect you." And handicapped as he was by the ravages of the fatal disease already beginning to sap his vitality, he took his place in the ranks, threw himself into the battle, and fought as valiantly and as ably as if he had never himself aspired to the Presidency.

He will always remain one of the great figures in the formative period of American history. His career began back in that early day when Jefferson, Hamilton, and the founders of the Constitution still lingered in the minds of men as comrades who had wrought among them in the flesh. They were as real to him as the associates of his daily life, and the young Republic was to him, as it had been to them, a child of heart and brain to be nurtured and cherished—an experiment in which was to be realized the fondest hopes of humanity; and through the more than 60 cycles of his conscious years he watched its growth and progress with all the care and solicitude of a father for a child.

He was essentially a party man. He believed with all his heart in the cardinal principles of democracy, and through life he served them with unswerving devotion. But as I followed him through the daily routine of his life I came to realize, as every man who really knew him came to realize, that above party and partisanship he loved his country; that he was a patriot in the truest sense of the word; and in those trying and crucial days when his hand was upon the helm, when he was in fact, as he was in name, the leader of his party in Congress, the interests of the country, the welfare of the people, were his first thought always. No partisan consideration, no plea of expediency, was ever permitted to obscure his conception of his country's good; and if dreams can come to him to-day as he sleeps serenely on the quiet hillside, there will be no dream so sweet as that oft-invisioned future to which he looked with such implicit faith, in which America the Blessed shall yet achieve the fullness of her mission and her glory.

His career is the glory of American democracy. From humblest origin, from direst poverty and obscurity, he arose to world-wide eminence.

In other lands or under other governments, fettered by precedent and privilege, bound by caste and tradition, he might have remained forever in the lowly estate to which he had been born, his genius circumscribed, his talents unutilized, and his loyal soul compressed within the narrow confines of provincial opportunities. But under the fostering favor of freedom his outstretched fingers touched the greatest offices under the Republic and attained the noblest service to which man may aspire.

What he accomplished our children may hope to accomplish. What he achieved the humblest boy who walks the meanest street of the smallest hamlet in the remotest corner of the land may under our free American institutions, aspire to achieve.

It was his pride, often voiced from public platform and from the Speaker's rostrum, that within the brief span of his life the example of the American Government had destroyed despotisms and established republics in every quarter of the globe. With every other American citizen he helped to make the blessings of liberty and democracy the common and universal birthright of all mankind.

And so, as we gather here to-day before this gift of the Nation, authorized by the American Congress, we come to do him honor not merely as an illustrious son of a sovereign State or as a laureled citizen of this Republic, but we rear here to-day a shrine to which may repair through all the days to come lovers of liberty and disciples of democracy of every clime and kindred and tongue, a shrine sanctified by service, dedicated by duty, and illuminated by a shining fame that fadeth not away. [Applause.]

Mr. LUCE. I will ask Judge DICKINSON of Missouri to speak in behalf of the Missouri delegation.

ADDRESS OF HON. CLEMENT C. DICKINSON, A REPRESENTATIVE IN CONGRESS FROM THE STATE OF MISSOURI

Mr. DICKINSON. Mr. Chairman, a pleasant duty has been assigned me, and I ask all here to behold the face and form of James R. Mann, a distinguished and masterful American citizen; born in 1856; elected to the Fifty-fifth and each succeeding Congress, including the Sixty-seventh, during which term his legislative and earthly career ended, after a conspicuous record of nearly 24 years.

His history is revealed in the CONGRESSIONAL RECORD, and is kept fresh in the memory of his friends and countrymen. He made and left in yonder Hall of Representatives a great record as a legislator, unsurpassed in ability and accomplishment.

He was a student of untiring and amazing industry, and with an analytical mind he mastered the details of all pending measures.

Abounding in knowledge of legislation and the rules of procedure, he became a recognized and powerful leader. His fearless courage, his unquestioned honesty, his great experience and remarkable skill inspired with confidence those who relied on his judgment and gladly followed his matchless leadership.

He was well believed to be the best equipped of all his associates. No abler Member, no more useful legislator. He ripened into a statesman of high order. He left an enduring impress upon Congress and his country's history.

He was a loyal partisan, a patriotic citizen, a bold advocate of the right. To him a public office was a public trust. His deeds live in the memory of all who served with him.

It was my privilege for years to note his service—not as an intimate associate, but as an admiring colleague who watched his matchless course. He was an intimate friend of that great Missourian, Champ Clark. They served for 20 years together, and led their respective parties in generous rivalry in many noted contests.

'Tis more than fitting that enduring marble busts of these two great historic legislators and statesmen should face each other across this hallway, bound together as they were by so many ties of cordial friendship. This way leads from the House of Representatives to Statuary Hall, and thousands passing between can look and see and admire and recall the notable service of these two great characters, who added luster and fame to the history of our great Republic. Their place in history is fixed by their service, not by words of praise or marble form. They acted well their part in the great drama of life, and have gone to their reward, where their spirits dwell together in eternal life. [Applause.]

Mr. LUCE. I will next ask Representative MORTON D. HULL, of Illinois, the successor of Representative Mann, to address you.

REMARKS BY HON. MORTON D. HULL, A REPRESENTATIVE IN CONGRESS FROM THE SECOND DISTRICT OF ILLINOIS

Mr. HULL. Mr. Chairman, friends, and fellow Members of the House of Representatives, daily we see passing through this corridor groups of people from all parts of our country, seeking to see as much as possible of the vast human machine, which we call the Government of the United States, and to view the stately buildings that house its various activities.

If we were to look down the long corridor of the years to come we should see this constant procession of visitors to this Capitol Building. Our imagination is stirred at the thought of this unending pilgrimage brought here by reverence for our institutions, by an interest in the visible reminders of our Government and the monuments erected here, and, perhaps, a concern about some pending legislation of consuming human interest.

To have served for more than a quarter of a century in the House of Representatives so as to have been entitled to have one's memory perpetuated for all time in enduring marble in this spot, is one of the great honors in a political career, and this honor is accorded to the former Representative from the second district of Illinois, the late James R. Mann, without question by anyone.

It is, of course, fitting that tributes to his great personal qualities of heart and mind, to his parliamentary skill, and to the influence which he exercised here should be made by those who served with him rather than by me.

It is my privilege, however, to remind you that this Government of ours is a structure not builded of brick and stone by human hands, but wrought out of the brain and purpose of man into enduring laws and institutions through the travail of tedious debate in our legislative halls.

These laws and institutions are the memorials of those who made them; their enduring monuments, invisible though they may be.

It is fitting, then, that here in this corridor, visited by pilgrims, and to be visited for all time, not far from the great hall of the House of Representatives, in which he served so long, there should be placed this visible tribute to his memory. This tribute we pay to him and to his colleague with grateful hearts. [Applause.]

Mr. LUCE. This concludes the exercises.

STATUS OF SWAINS ISLAND

Mr. WAINWRIGHT. Mr. Speaker, I ask unanimous consent to return——

The SPEAKER. That is not possible.

Mr. LAGUARDIA. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. LAGUARDIA. What is the status of Calendar No. 794 at this time?

The SPEAKER. Objection was made.

Mr. LAGUARDIA. I made the objection. From information I have just received, while I do not approve of this summary method of extending jurisdiction over any island, no matter how small, there seems to be good reasons for passing the bill at this time, and I therefore withdraw the objection.

The SPEAKER. The Clerk will again report the resolution by title.

The Clerk read as follows:

House joint resolution (H. J. Res. 294) extending the sovereignty of the United States over Swains Island and making the island a part of American Samoa.

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

The Clerk read as follows:

Resolved, etc., That the sovereignty of the United States over American Samoa is hereby extended over Swains Island, which is made a part of American Samoa and placed under the jurisdiction of the administrative and judicial authorities of the government established therein by the United States.

The joint resolution was ordered to be engrossed and read the third time, was read the third time, and passed.

AMENDING ACT TO ENABLE PEOPLE OF NEW MEXICO TO FORM A STATE GOVERNMENT

The next business on the Consent Calendar was the bill (S. 1660) to amend an act entitled "An act to enable the people of New Mexico to form a constitution and State government and be admitted into the Union on an equal footing with the original States."

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BEGG. Mr. Speaker, I object.

Mr. MORROW. Mr. Speaker, I request the gentleman to withhold his objection for a moment until I can explain the bill.

Mr. BEGG. Mr. Speaker, I will be courteous and do that if it is the wish of the House, but I expect to object.

The SPEAKER. If the gentleman says he is going to object it is hardly worth while. The Clerk will report the next bill.

EXCHANGE OF LANDS IN NEW MEXICO WITHIN MORA GRANT

The next business on the Consent Calendar was the bill (S. 3883) providing for the acquirement by the United States of privately owned lands in San Miguel, Mora, and Taos Counties, N. Mex., within the Mora Grant, and adjoining one or more national forests, by exchanging therefor timber, within the exterior boundaries of any national forest situated within the State of New Mexico or the State of Arizona.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BEGG. Mr. Speaker, I object.

FOREST EXPERIMENT STATIONS IN CALIFORNIA

The next business on the Consent Calendar was the bill (S. 4156) to authorize the establishment and maintenance of a forest experiment station in California and the surrounding States.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That in order to determine and demonstrate the best methods for the conservative management for forest and forest lands and the protection of timber and other forest products, the Secretary of Agriculture is authorized and directed (1) to establish and maintain, in cooperation with the State of California and with the surrounding States, a forest experiment station at such place or places as he may determine to be most suitable, and (2) to conduct, independently or in cooperation with other branches of the Federal Government, the States, universities, colleges, county, and municipal agencies, business organizations, and individuals, such silvicultural, dendrological, forest fire, economic, and other experiments and investigations as may be necessary.

SEC. 2. There is hereby authorized to be appropriated, out of any money in the Treasury not otherwise appropriated, the sum of $50,000, or so much thereof as may be necessary, to carry out the purpose of this act, including the erection of buildings and payment of other necessary expenses, such sum to be immediately available and to remain available for expenditure during the fiscal year ending June 30, 1926.

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

PROTECTION OF FOREST LANDS, ETC.

The next business on the Consent Calendar was the bill (S. 4224) 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.

The Clerk read the title of the bill.

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

The Clerk read as follows:

Be it enacted, etc., That the third sentence of section 2 of the act 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, approved June 7, 1924 (Public, 270), is amended by adding after the words "forest producing lands" the following: "or watersheds from which water is secured for domestic use or irrigation," so that section 2 as amended will read as follows:

"SEC. 2. If the Secretary of Agriculture shall find that the system and practice of forest fire prevention and suppression provided by any State substantially promotes the objects described in the foregoing section, he is hereby authorized and directed, under such conditions as he may determine to be fair and equitable in each State, to cooperate with appropriate officials of each State, and through them with private and other agencies therein, in the protection of timbered and forest-producing lands from fire. In no case other than for preliminary investigations shall the amount expended by the Federal Government in any State during any fiscal year under this section exceed the amount expended by the State for the same purpose during the same fiscal year, including the expenditures of forest owners or operators which are required by State law or which are made in pursuance of the forest protection system of the State under State supervision and for which in all cases the State renders satisfactory accounting. In the cooperation extended to the several States due consideration shall be given to the protection of watersheds of navigable streams, but such cooperation may, in the discretion of the Secretary of Agriculture, be extended to any timbered or forest-producing lands, or watersheds from which water is secured for domestic use or irrigation, within the cooperating States."

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

AMENDMENT TO CLASSIFICATION ACT OF 1923 RELATIVE TO PROMOTIONS

The next business on the Consent Calendar was the bill (H. R. 12334) to amend the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and the act amendatory thereof and supplementary thereto.

The Clerk read the title of the bill.

The SPEAKER. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, in order to ask a question. Is this Senate bill the proposal that is made by the chairman of the Committee on Appropriations?

Mr. BEGG. It is the same proposition.

Mr. BLANTON. It is not changed in any way from the Madden proposition?

Mr. BEGG. I think not, but I would not want to state it as an absolute fact. I think they are identically the same thing. At least that is my understanding.

Mr. BLANTON. If that is so, there is no objection.

Mr. BEGG. I would not say that is the fact, but that is my understanding.

The SPEAKER. This is a House bill. Is there objection? [After a pause.] The Chair hears none.

The Clerk read as follows:

Be it enacted, etc., That the act entitled "An act to provide for the classification of civilian positions within the District of Columbia and in the field services," approved March 4, 1923, and the act amendatory thereto and supplementary thereto are hereby amended, as follows:

By inserting after the first paragraph of section 4 this additional paragraph:

"After June 30, 1926, any revised allocation approved by the board shall not be effective for pay purposes unless there is available an appropriation from which such revised allocation may lawfully be paid without incurring a deficiency."

By striking out section 7 and inserting in lieu thereof:

"SEC. 7. Increases in compensation shall be allowed upon the attainment and maintenance of the appropriate efficiency ratings to the next higher rate within the salary range of the grade: *Provided*, That such advances to the next higher rate within the salary range of the grade shall not be made, in the case of any employee, more frequently than once in any fiscal year in grades 4, 5, and 6 of the professional and scientific service, or in grades 11, 12, and 13 of the clerical, administrative, and fiscal service, and not more frequently than twice in any fiscal year in grades 1, 2, and 3 of the professional and scientific service, in grades 1 to 10, inclusive, of the clerical, administrative, and fiscal service, in any grade of the subprofessional and custodial services, or in grade 5 of the clerical-mechanical service: *Provided further*, That in no case shall the compensation of any employee be increased unless Congress has appropriated money from which the increase may lawfully be paid, nor shall the rate for any employee be increased beyond the maximum rate for the grade to which his position is allocated. Nothing contained herein shall be construed to prevent the promotion of an employee from one class to a vacant position in a higher class at any time in accordance with civil service rules, and when so promoted the employee shall receive compensation according to the schedule established for the class to which he is promoted."

By inserting after section 14 a new section:

"SEC. 15. The head of each department each year shall prepare a report on the operation of this act in his department covering a yearly period ending on the 30th day of September. Such reports shall be forwarded to the Bureau of the Budget not later than the 15th day of October. They shall be collated and indexed in such bureau and shall be transmitted to Congress by the director thereof on the first day of each regular session. The reports shall show, by appropriation accounts and bureaus and offices, for each employee whose status was changed during such yearly period, the following data:

"(a) Changes between grades—

"(1) The name of the employee and the designation of the position;

"(2) The service, grade, and pay rate before and after such change;

"(3) The method of such change, whether by reallocation, transfer, or promotion; and

"(4) The date of such change and the reasons therefor.

"(b) Changes within grades—

"(1) The name of the employee and the designation of the position;

"(2) The service, grade, and pay rate on the first day of the yearly period (or the date of entry into the department, if subsequent thereto) and the last day of the yearly period (or the date of departure from the department, if prior thereto); and

"(3) Each change in salary rate, the date of such change, the efficiency rating of the employee, and the date of such rating.

"(c) Such further information as the head of the department may deem pertinent to the report required by this section."

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

ELECTION CONTESTS IN THE SENATE

The next business on the Consent Calendar was the bill (S. 300) to provide for election contests in the Senate of the United States.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. BLANTON. Mr. Speaker, I want to ask the gentleman from Kansas [Mr. WHITE] a question. I reserve the right to object. Does the gentleman from Kansas approve of this bill?

Mr. WHITE of Kansas. I think we ought to pass the bill without amendment.

The SPEAKER. Is there objection?

Mr. JEFFERS. I object.

Mr. WHITE of Kansas. I hope the gentleman will reserve his objection for a moment. Will the gentleman reserve it?

Mr. JEFFERS. Yes.

Mr. WHITE of Kansas. This bill, as its title indicates, relates entirely to contested-election cases in the United States Senate. There is a statute already on the books regulating the procedure in contested-election cases in the House. There is no law on the books regulating the procedure in contested-election cases in the Senate. The committee considered this bill and thought that as a matter of courtesy, it being what the Senate wanted, it should be passed. It does not affect the law respecting contests in the House. It does not amend it or in any way repeal it or affect it, or any portion of it. I hope the gentleman from Alabama will not object.

Mr. JEFFERS. I object.

The SPEAKER. The gentleman from Alabama objects. The Clerk will report the next bill.

WOMAN'S BUREAU METROPOLITAN POLICE DEPARTMENT

The next business on the Consent Calendar was the bill (H. R. 12248) to establish a woman's bureau in the Metropolitan police department in the District of Columbia, and for other purposes.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

Mr. HILL of Maryland. I object.

The SPEAKER. Objection is heard. The Clerk will report the next bill.

DEPUTY RECORDER OF DEEDS

The next business on the Consent Calendar was the bill (S. 1934) to amend, revise, and reenact section 549 of subchapter 4 of the Code of the District of Columbia, relating to the appointment of deputy recorder of deeds, and fixing the compensation therefor.

The title of the bill was read.

The SPEAKER. Is there objection to the present consideration of this bill?

There was no objection.

The SPEAKER. The Clerk will report the bill.

The Clerk read as follows:

Be it enacted, etc., That the recorder of deeds is authorized to appoint a second deputy recorder, who may do and perform any and all acts which the recorder is authorized to do, and all such acts by the said second deputy recorder shall have the same legality force and effect as if performed by the recorder; the compensation of said second deputy recorder to be at the rate of $2,000 per annum, to be paid out of the fees and emoluments of the office of the recorder of deeds. And with the approval of the Attorney General of the United States, the recorder of deeds may from time to time fix the number and compensation of all other employees of his office: *Provided*, That any expenditure incurred by him in so doing shall not be a charge upon the Public Treasury, but shall be paid out of the fees and emoluments of said office: *And provided further*, That the employees of said office shall not be in excess of the number actually necessary for the proper conduct of said office of the recorder of deeds: *Provided, however*, That the compensation of the first deputy recorder of deeds and that of the second deputy recorder of deeds shall not be changed except by act of Congress.

Mr. BLANTON. Mr. Speaker, I ask for recognition on this bill for a moment. I ask unanimous consent to speak for three minutes out of order.

The SPEAKER. The gentleman from Texas asks unanimous consent to speak for three minutes out of order. Is there objection?

There was no objection.

Mr. BLANTON. Mr. Speaker, the last bill, objected to by my friend from Maryland [Mr. HILL], is a bill that I have no personal interest in at all, but merely reported it at the instance of the Committee on the District of Columbia, the committee having voted unanimously to report the bill favorably for passage.

That bill is indorsed by the Federated Women's Clubs of the United States. It is indorsed by the Federated Women's Clubs of Baltimore, where the gentleman lives. There is not

a voice against it. There is already this woman's bureau in the police department now, and it has been there for several years. It has been there, however, not by law but by sufferance regulation only. This bill is to give it a legal status, to place it beyond politics that might enter into a board of commissioners. The gentleman from Maryland [Mr. HILL] thinking that it was just a welfare proposition, without knowing anything about it, objected.

That bunch of 20 women police have done more for young girls and young women standing on the brink of ruin in Washington than all other organizations in the country combined. When a girl runs off from home, influenced by some scoundrel, and comes to Washington, these are the women who take charge of her and get into communication with her father or mother and send her home. They have broken up more immoral dance houses in Washington than all other agencies put together. They will not interfere with the gentleman from Maryland in any way whatever. If a man conducts himself properly in Washington, they do not interfere with him. It is only when a man wants to violate the law in a dance hall and lead a young girl down to ruin where they step in and say "Stop! You can not go further."

Mr. GILBERT. Mr. Speaker, will the gentleman yield?

Mr. BLANTON. I want first to yield to the gentleman from Maryland [Mr. HILL] if he wants to speak.

Mr. HILL of Maryland. I am much interested in what the gentleman says. He seems to be very much interested in this bill.

Mr. BLANTON. The good women of the country are for it. And when they are for a bill, I am for it also.

Mr. HILL of Maryland. Mr. Speaker, I ask unanimous consent to proceed for two minutes.

The SPEAKER. Is there objection?

Mr. CHINDBLOM. Reserving the right to object, Mr. Speaker, I want to ask what the gentleman from Texas [Mr. BLANTON] was doing when this bill was called up a moment ago? Why did you not make your objection when the bill was called up?

Mr. BLANTON. I am for the bill. The gentleman from Maryland stopped it by his objection.

Mr. CHINDBLOM. You did not say anything in its behalf when he objected.

Mr. BLANTON. I had no opportunity. This splendid lady at the head of this bureau is one of the most highly educated, refined women in the United States, and she has spent $65,000 of her own money in this good work building up this bureau in Washington.

The SPEAKER. The gentleman is out of order. Is there objection to the request of the gentleman from Maryland [Mr. HILL]?

There was no objection.

The SPEAKER. The gentleman from Maryland is recognized.

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, the gentleman from Texas [Mr. BLANTON] said he introduced the bill in which he had no personal interest and was very much surprised that there was objection to the consideration of that bill under unanimous consent.

I do not say it is not a good bill, but we are on unanimous consent, and yesterday the gentleman from Texas [Mr. BLANTON] objected to the consideration of a bill for the appointment of an additional judge in Maryland, which was exactly as meritorious as this bill and in which I have not the slightest personal interest. The courts of Maryland are crowded with Federal cases which can not be tried, and the Council of Judges and the Attorney General have recommended one more, making a total of two Federal judges in Maryland.

Now, the gentleman from Texas thinks that anything he happens to approve should not be objected to on the floor, but I will say to the gentleman from Texas that if he will agree to an amendment to this bill providing for an additional judge in the Federal court in Maryland I will agree to withdraw my objection.

Mr. BLANTON. I will not, because there are now enough judges over there to turn bootleggers loose.

Mr. HILL of Maryland. That shows that the gentleman knows nothing about judges and that all the gentleman thinks about is bootleggers, and he must know them very well. [Laughter.]

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

RECORDING OF DEEDS OF CHATTELS

The next business on the Consent Calendar was the bill (S. 1935) to amend, revise, and reenact subchapter 3, sections 546 and 547, of the Code of Law of the District of Columbia relating to the recording of deeds of chattels.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I would like to ask the gentleman from Maryland [Mr. ZIHLMAN] whether this is the bill that provides an additional recorder of deeds?

Mr. ZIHLMAN. I will say to the gentleman that that bill has already passed.

Mr. BLANTON. What bill is this?

Mr. ZIHLMAN. This bill relates to a change in the manner of indexing and recording deeds so that they can catch up with their work.

Mr. BLANTON. That is all it does?

Mr. ZIHLMAN. Yes.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc.—

SEC. 546. That no bill of sale, mortgage, or deed of t ust to secure a debt of any personal chattels whereof the vendor, mortgagor, or donor shall remain in possession shall be valid or effectual to pass the title therein, except as between the parties to such instruments and as to other persons having actual notice of it, unless the same be executed, acknowledged, and within 10 days from the date of such acknowledgment filed in the office of the recorder of deeds and the said filing of such instrument therein as aforesaid as to third persons not having notice of it as aforesaid shall be operative only from the time within the said 10 days when it is delivered to said recorder.

And it shall not be necessary for the recorder of deeds to spread such instruments upon the records of his office, but the same shall be indexed in the manner as deeds to real estate are indexed, and said instruments shall be kept on file and shall be open to inspection by the public, and shall have the same force and legal effect as if they were actually recorded in the books of said office. For filing and indexing such aforesaid instruments the recorder of deeds shall collect $1 each.

SEC. 547. Conditional sales: No conditional sale of chattels in virtue of which the property is delivered to the purchaser, but by the terms of which the title is not to pass until the price of said chattels is fully paid, where the purchase price exceeds $100, shall be valid as against third persons acquiring title to said property from said purchaser without notice of the terms of said sale, unless the terms of said sale are reduced to writing and signed by the parties thereto and acknowledged by the purchaser and filed in the office of the recorder of deeds of the District of Columbia, and said writing shall be indexed as if the purchaser were a mortgagor and the seller a mortgagee of such chattels, and shall be operative as to third persons without actual notice of it from the time of being filed. And for filing and indexing such an instrument the recorder of deeds shall collect $1. These acts shall take effect 30 days after approval.

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

DAM ACROSS THE MISSOURI RIVER

The next business on the Consent Calendar was the bill (S. 2085) to authorize the Broadwater Irrigation District, a Montana organization, to construct a dam across the Missouri River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I want to ask whomever is in charge of this bill what charge this makes on the Public Treasury. Mr. Speaker, I ask that the bill be passed without prejudice.

The SPEAKER. The gentleman from Texas asks unanimous consent that this bill be passed without prejudice. Is there objection?

There was no objection.

BRIDGE ACROSS THE COLUMBIA RIVER

The next business on the Consent Calendar was the bill (S. 3641) granting the consent of Congress to the State of Washington to construct, maintain, and operate a bridge across the Columbia River at Vantage Ferry, Wash.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. WATKINS. Mr. Speaker, reserving the right to object, I want to ask a question. This is wholly within the State of Washington?

Mr. SUMMERS of Washington. Yes.

Mr. WATKINS. Has the bill been amended in conformity with the suggestion of the Secretary of War?

Mr. SUMMERS of Washington. It has the approval of the Secretary of War.

Mr. WATKINS. The Secretary of War asked that the bill be amended as indicated by him on the bill he returned. Is the bill as reported amended to meet with his approval?

Mr. SUMMERS of Washington. There has been no controversy with regard to this bill at all. It has the approval of the Secretary of War.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State of Washington, or its assigns, to construct, maintain, and operate a bridge and approaches thereto across the Columbia River at a point suitable to the interests of navigation, at or near Vantage Ferry, between Kittitas and Grant Counties, Wash., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS DETROIT RIVER

The next business on the Consent Calendar was the bill (S. 4225) to extend the times for commencing and completing the construction of a bridge across Detroit River within or near the city limits of Detroit, Mich.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the times for commencing and completing the construction of the bridge authorized by act of Congress approved March 4, 1921, to be built by the American Transit Co., its successors and assigns, across Detroit River, within or near the city limits of Detroit, Wayne County, Mich., are hereby extended one year and five years, respectively, from the date of approval hereof.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS THE COLORADO RIVER

The next business on the Consent Calendar was the bill (S. 4289) authorizing the construction of a bridge across the Colorado River near Blythe, Calif.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to John Lyle Harrington, or his assigns, to construct, maintain, and operate a bridge and approaches thereto across the Colorado River, at a point suitable to the interests of navigation, near the city of Blythe, Calif., in accordance with the provisions of an act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

With the following committee amendments:

Page 1, line 10, insert:

"*Provided*, That the location, design, plans, and specifications for said bridge shall first be submitted to and approved by the highway departments of the States of Arizona and California as being safe and sufficient from the standpoint of the traffic which will pass thereover.

"SEC. 2. The States of Arizona and California, or either thereof, or any political subdivision or divisions thereof, may jointly or severally, at any time after five years from the completion of said bridge, take over and acquire the complete ownership thereof at a price to be mutually agreed upon by the owner thereof and such State or States or subdivision or divisions thereof, or at a price to be determined by condemnation proceedings in accordance with the general laws of the State of Arizona or the State of California governing the acquisition of private property for public purposes by condemnation, or at a price to be fixed by such other method as may be provided by law: *Provided*, That if such bridge shall be acquired by the said States or either thereof, or by any political or other subdivision or divisions thereof, by condemnation or other legal proceedings in accordance with the general laws governing the acquisition of private property for public purposes, in determining the measure of damages or compensation to be paid for the same there shall not be included any credit or allowance for good will, going value, or prospective revenues or profits, but the same shall be limited to an amount not exceeding the cost of constructing such bridge and approaches thereto, including interest and other charges incidental to any necessary loans made in connection with financing such construction, engineering services, necessary contingent expenses, actual and necessary betterments and improvements, less a reasonable deduction for actual depreciation: *Provided further*, That if such bridge shall be acquired or taken over by the States of Arizona and California, or either of them, or by any political subdivision or divisions thereof, in accordance with the provisions of this act, the same may be operated by such State or States or political subdivision or divisions thereof as a toll bridge for a period of not to exceed five years from the date of the acquisition thereof, after which time it shall be and remain a free bridge."

Page 3, line 15, strike out the numeral "2" and insert the numeral "3."

The committee amendments were agreed to.

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

BRIDGE ACROSS THE WABASH RIVER

The next business on the Consent Calendar was the bill (S. 4307) to authorize the States of Indiana and Illinois in the States of Indiana and Illinois to construct a bridge across the Wabash River at the city of Mount Carmel, Wabash County, Ill., and connecting Gibson County, Ind.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the State of Illinois and the State of Indiana are hereby authorized to construct, maintain, and operate a bridge and approaches thereto across the Wabash River from a point in the city of Mount Carmel, Wabash County, Ill., to a point in Gibson County, in the State of Indiana, at a point suitable to the interests of navigation in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS THE ROCK RIVER

The next business on the Consent Calendar was the bill (H. R. 12405) granting the consent of Congress to the city of Rockford, in the county of Winnebago and State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across Rock River.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the city of Rockford, in the county of Winnebago, in the State of Illinois, to construct, maintain, and operate a bridge and approaches thereto across the Rock River, at a point suitable to the interests of navigation, connecting Peach Street on the west side of the said river in the said city of Rockford with Jefferson Street on the east side of said Rock River in the said city of Rockford, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. The right to alter, amend, or repeal this act is hereby expressly reserved.

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

BRIDGE ACROSS THE SANTEE RIVER

The next business on the Consent Calendar was the bill (S. 4209) to authorize the building of a bridge across the Santee River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENT. Mr. Speaker, I object.

BRIDGE ACROSS THE CONGAREE RIVER

The next business on the Consent Calendar was the bill (S. 4210) to authorize the building of a bridge across the Congaree River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill.

Mr. KENT. Mr. Speaker, I object.

BRIDGE ACROSS THE CATAWBA RIVER

The next business on the Consent Calendar was the bill (S. 4211) to authorize the building of a bridge across the Catawba River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENT. Mr. Speaker, I object.

BRIDGE ACROSS THE BROAD RIVER

The next business on the Consent Calendar was the bill (S. 4212) to authorize the building of a bridge across the Broad River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENT. Mr. Speaker, I object.

BRIDGE ACROSS THE SANTEE RIVER

The next business on the Consent Calendar was the bill (S. 4213) to authorize the building of a bridge across the Santee River in South Carolina.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENT. Mr. Speaker, I object.

Mr. SEARS of Florida. Mr. Speaker, I ask that all the bridge bills be passed over, because they are going to be objected to.

The SPEAKER. Does the Chair understand that the gentleman from Pennsylvania is going to object to all the bridge bills?

Mr. KENT. I am going to stop at the next one.

Mr. WARD of North Carolina. Mr. Speaker, has the gentleman objected to No. 816 on the calendar?

The SPEAKER. No.

Mr. KENT. I shall object to 815, and then I am going to stop.

BRIDGE ACROSS THE SAVANNAH RIVER

The next business on the Consent Calendar was the bill (S. 4214) to authorize the building of a bridge across the Savannah River between South Carolina and Georgia.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. KENT. Mr. Speaker, I object.

BRIDGE ACROSS THE CHOWAN RIVER, N. C.

The next business on the Consent Calendar was the bill (S. 4229) granting the consent of Congress to the State Highway Commission of North Carolina to construct a bridge across the Chowan River at or near the city of Edenton, N. C.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the consent of Congress is hereby granted to the State Highway Commission of North Carolina, and their successors and assigns, to construct, maintain, and operate a bridge and approaches thereto across the Chowan River at a point suitable to the interests of navigation, at or near Edenton, in the county of Chowan, in the State of North Carolina, in accordance with the provisions of the act entitled "An act to regulate the construction of bridges over navigable waters," approved March 23, 1906.

SEC. 2. That the right to alter, amend, or repeal this act is hereby expressly reserved.

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

EXCHANGE OF CUSTOM-HOUSE BUILDING AND SITE, DENVER, COLO.

The next business on the Consent Calendar was the bill (S. 3721) authorizing the Secretary of the Treasury to exchange the present custom-house building and site located in Denver, Colo.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. SABATH. Mr. Speaker, reserving the right to object, I would like a little information on this bill.

Mr. VAILE. We expect, if the Treasury Department decides to make this exchange, it will save the Government about one-half million dollars. The bill simply authorizes the exchange in case the Government sees fit to make it.

Mr. SABATH. And it has the gentleman's approval?

Mr. VAILE. Yes; and the bill was drawn by the Treasury Department.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of the Treasury be, and he is hereby, authorized and empowered, in his discretion, to exchange the present customhouse building and site, situate in block 98, lots Nos. 1 to 8, inclusive, fronting northwest 200 feet on Arapahoe Street, and northeast 125 feet on Sixteenth Street, Denver, Colo., for a new site and a building to be constructed thereon for the use and accommodation of the customs service and other Government officials.

The new site must have the approval of the Secretary of the Treasury, and the title thereto must be satisfactory to the Attorney General of the United States. The site shall have approximately the same area as the present customhouse site above described; the ground area of the building to be constructed shall be approximately 17,000 square feet; building to be four stories above the basement, and provision made in the construction of the foundation and walls and columns for placing three additional stories thereon, if required, in the future.

The plans and specifications for said building shall be prepared by the Supervising Architect of the Treasury Department or by a private architect employed by the purchasers of the customhouse property, as the Secretary of the Treasury may elect; in the latter case the architect and the plans and specifications prepared by him, and in either case the completed building, must meet the approval of the Supervising Architect of the Treasury, who may detail representatives to supervise or inspect the building during construction until final acceptance.

Authority is hereby given to the Secretary of the Treasury to turn the present building and site thereof over to the party or parties offering property in exchange therefor upon condition that good and sufficient security is furnished by said party or parties to insure the prompt construction of the building herein contemplated, upon the site selected, and its conveyance to the United States of America free and clear from any lien or incumbrance of any kind or character, and that in the meantime the customs service and other Government officials now occupying quarters in the present building shall be provided, without expense to the United States, adequate space for their accommodation, either in their present quarters in the customhouse or elsewhere, until the new building is completed and ready for occupancy.

The Government shall be involved in no expense in this transaction, except in connection with the drawings and specifications if prepared by the Supervising Architect, and in connection with the superintendence, inspection, and general administration. Nor shall the United States be involved in any expense incident to the work in connection with the removal of Government property either from the old building into quarters provided by the purchasers or to the new building upon its completion.

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

RELIEF OF CERTAIN ENLISTED MEN OF THE COAST GUARD

The next business on the Consent Calendar was the bill (H. R. 12262) for the relief of certain enlisted men of the Coast Guard.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. BLANTON. Mr. Speaker, I reserve the right to object while the gentleman explains the bill.

Mr. WINSLOW. Mr. Speaker, I will do that briefly and then answer any question. This is merely to correct the situation in the Comptroller General's office. For many years everything that would be accomplished by passing this legislation has been the practice. The comptroller's office in some way or other dug around and believed they found a reason for not continuing to do just what is proposed here. There is no appropriation involved. This is simply to legalize what has happened for years.

Mr. BLANTON. How many men does this affect?

Mr. WINSLOW. Not many. I can look up the exact number but there are only a few involved.

Mr. BLANTON. The gentleman knows this does get around the orders of the Comptroller General?

Mr. WINSLOW. Not the orders of the Comptroller General but his interpretation of an existing predicament.

Mr. BLANTON. But the Comptroller General has stopped this very thing we are attempting to do by this bill?

Mr. WINSLOW. He has.

Mr. BLANTON. And we are attempting by this bill to get around his authority?

Mr. WINSLOW. No; it is not getting around anything. This is the situation: A man is transferred from the Navy into the Coast Guard, and under their arrangement they have in

the past been paying them the regular statutory premium which is allowed for a reenlistment. The man gets his money. A seaman gets from $34 to $56 pay. In due time afterwards, along comes the comptroller and says that the reenlistment fees paid the seaman was not right and must be paid back. The money has been spent and the seaman has skipped or is unable to pay. Then the paymaster of his ship, who has been working under a common practice for years, is held up, or the officials are held up, and all down the line everybody is penalized for doing a thing which practice has warranted for a long time back.

Mr. BLANTON. May I ask the gentleman one question?

Mr. WINSLOW. Yes, indeed.

Mr. BLANTON. Is the gentleman from Massachusetts in favor of upholding the Comptroller General?

Mr. WINSLOW. Yes; I am in favor of upholding the Comptroller General.

Mr. BLANTON. Well, I withdraw the objection. That statement is worth passing the bill.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the accounting officers of the Government are authorized and directed to allow in the settlement of the accounts of disbursing officers of the Government all payments of enlistment allowances made by them to honorably discharged enlisted men of the Navy who enlisted in the Coast Guard within a period of three months from the date of discharge from the Navy, between July 1, 1922, and January 20, 1925.

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

ENLARGEMENT OF FEDERAL VETERANS' HOSPITAL AT MUSKOGEE, OKLA.

The next business on the Consent Calendar was the joint resolution (H. J. Res. 364) authorizing the enlargement of the Federal Veterans' Hospital at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of $150,000 for that purpose.

The Clerk read the title of the joint resolution.

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

Mr. LAGUARDIA. Mr. Speaker, reserving the right to object, can the gentleman give me any information as to whether this is a permanent institution or next session will we be asked to sell this institution back to the people we are now buying it from?

Mr. HASTINGS. No; it is a permanent institution. The Government has already bought the hospital adjoining this one. Congress authorized that by an act passed last June. This is a municipal hospital which adjoins the Government hospital on the north.

Mr. LAGUARDIA. What kind of patients do they care for there—tubercular patients?

Mr. HASTINGS. General; it is very crowded. There are 400 patients in the main hospital, which has a capacity of 250. This new hospital has a capacity of 146, and it is greatly needed.

Mr. LAGUARDIA. And it is a permanent hospital?

Mr. HASTINGS. Yes.

Mr. BLANTON. Reserving the right to object, Mr. Speaker, I want to ask the gentleman why it is that Director Hines does not ask that this bill be passed?

Mr. HASTINGS. This bill confers the authority, and after a full investigation, it authorizes him to contract and purchase this municipal hospital. I am sure he must conclude that it is the wise thing to do.

Mr. BLANTON. But does not the gentleman think before we spend $150,000 to enlarge a hospital the request should come from the director?

Mr. HASTINGS. It is not really to enlarge the hospital; there is a municipal hospital adjoining on the north that can be supervised under the same management. The architecture is the same, and you could not tell but what it is a part of the veterans' hospital recently purchased under the authority of Congress. It is greatly needed. It can be bought for less than it cost and possession secured now.

Mr. BLANTON. Well, it being in Muskogee, I can not object; but I think somebody ought to.

Mr. HASTINGS. Mr. Speaker, I ask unanimous consent to substitute the Senate Joint Resolution 189, a similar resolution which has been passed by the Senate.

The SPEAKER. The gentleman from Oklahoma asks unanimous consent to substitute Senate Joint Resolution 189. Is there objection?

There was no objection.

The Clerk read the Senate joint resolution, as follows:

Senate joint resolution (S. J. Res. 189) authorizing the enlargement of the Federal Veterans' Hospital at Muskogee, Okla., by the purchase of an adjoining city hospital and authorizing the appropriation of $150,000 for that purpose

Whereas the Veterans' Bureau has lately acquired from the State of Oklahoma title to the veterans' hospital located at Muskogee, Okla.; and

Whereas the city of Muskogee is the owner of a small hospital on a lot immediately adjoining that of the national hospital site, similar in construction and architecture to that of the Federal hospital and fitting into the scheme of the Government to enlarge and improve said hospital and necessary to its enlargement and improvement; and

Whereas the city of Muskogee, Okla., has graciously offered to sell said hospital to the Government for the sum of $150,000, being considerably less than the cost of its construction, in order and for the purpose of carrying out the scheme of the Veterans' Bureau in connection with said hospital; and

Whereas said additional facilities afforded by the said hospital are now needed and in the immediate future will be needed in the proper care of veterans assigned to said Federal hospital: Now, therefore be it

Resolved, etc., That the purchase of said city hospital by the Director of the Veterans' Bureau at a sum of not exceeding $150,000, and the appropriation of $150,000 for that purpose is hereby authorized; the price to be paid therefor to be agreed upon by and between said Director of the Veterans' Bureau and the city of Muskogee.

Mr. BEGG. Mr. Speaker, I offer an amendment.

The Clerk read as follows:

Amendment offered by Mr. BEGG: At the end of the paragraph add the following proviso: "*Provided*, That this money shall be taken out of any lump-sum appropriation for hospital purposes."

The amendment was agreed to.

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

WAIVING ONE-HALF OF THE GRAZING FEES FOR THE USE OF THE NATIONAL FOREST

The next business on the Consent Calendar was the House Joint Resolution 375, authorizing and directing the Secretary of Agriculture to waive one-half of the grazing fees for the use of the national forests during the calendar year 1925.

The Clerk read the title to the bill.

The SPEAKER. Is there objection?

Mr. BEGG. Reserving the right to object——

Mr. HUDSPETH. I ask the gentleman not to object; this passed the committee unanimously.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the resolution, as follows:

Resolved, etc., That upon application therefor the Secretary of Agriculture is authorized and directed, under regulations to be prescribed by him, to waive the payment of one-half the grazing fees on permits heretofore granted, and to accept payment of one-half the grazing fees in effect on January 1, 1924, on permits hereafter to be granted, for the use of the national forests during the calendar year 1925 or any part of such calendar year.

The Clerk read the following committee amendment:

Strike out all after the enacting clause and insert the following: "That the Secretary of Agriculture is authorized, in his discretion, under regulations to be prescribed by him, to waive any part of or all requirements in respect of grazing fees for the use of national forests in drought-stricken regions during the calendar year 1925 or any part of such calendar year."

Mr. HUDSPETH. Mr. Speaker, I move to strike out the last word. I want to call the attention of the House to the fact that while this does not directly affect my district or State, because we have no public land, it does affect the livestock industry in many public-land States, and many of my cattlemen friends will be benefited if this resolution is passed. I notice on February 19 the distinguished and able Senator from Arizona [Mr. ASHURST] called attention to the deplorable condition of the livestock industry throughout the Northwest and especially in his own State, and asked for the passage of a similar resolution, and the other distinguished Senator from Arizona [Mr. CAMERON] offered a resolution which was unanimously passed by the Senate relieving the livestock men from paying these forest-privilege grazing fees for two years, as I recall. While I do not wish to interfere with or jeopardize the gentleman's [Mr. VAILE] resolution. I think that amendment ought to be adopted in view of the deplorable and disastrous drought that has existed throughout that section of

the country for the last two years. That is, remove the grazing fees for two years on public domain.

Mr. VAILE. If the gentleman will allow me, I wish that the bill could be passed as in the Senate. My bill has been amended to authorize the Secretary to waive the fees entirely in the drought-stricken area.

Mr. HUDSPETH. For 1925, but the resolution that passed the Senate extended the time for 1926, also as I now recall I know Senator ASHURST in an able speech advocated this, so that your people in Colorado and Arizona and New Mexico, many of them my personal friends, will have the advantage of it.

Mr. VAILE. But the Committee on Agriculture in the House did not approve of it in that form.

Mr. HUDSPETH. If the gentleman thinks it will endanger his bill, I will not offer the amendment; but it ought to be adopted because as every man knows, the cattle situation throughout the country is such that 99 per cent, as stated by the Senator from Arizona [Mr. ASHURST] and the Senator from Colorado, and other western Senators, are in bankruptcy or near bankruptcy. This Congress ought to offer every aid possible to that great industry to rehabilitate itself. I want to say here that men who are not in that drought-stricken country like my good friend from Kansas [Mr. WHITE], as good a man as ever the Lord wrote an "affidavit face" upon, knows that the cattlemen to-day, almost every one of them, are in bankruptcy or on the verge of bankruptcy. I say, gentlemen, that we ought to amend this resolution so that the grazing fees will be removed for a period of two years. If the gentleman from Colorado will consent, I will offer that amendment.

Mr. VAILE. I have no objection to the amendment; I approve of it.

Mr. HAUGEN. If the gentleman will allow me, the committee gave consideration to these various bills and did what they thought was the best thing. This bill for the present will be sufficient, and then the matter can come before Congress for further investigation.

Mr. HUDSPETH. If the gentleman will read the speeches made on the other side by the distinguished Senators from Arizona and from Colorado, and also Senator SMOOT, of Utah, I think he will agree with me that one year is not sufficient, that it will be very little aid to that great industry out there. There has been a terrible drought there for the past two years, and to-day they are hauling cottonseed cake costing $50 to $60 a ton to feed their cattle.

Mr. HAUGEN. The average grazing fee for this year is 11 cents a month, and that is a dollar and thirty-two cents a year. The price of corn is about $1.20 a bushel, so that the grazing fee for a year is equivalent to about a bushel of corn.

Mr. HUDSPETH. Mr. Speaker, I hope the gentleman will not take up all of my time. I tremble now lest the gentleman from Michigan take me off the floor as he is hollering for the "regular order." I shall offer an amendment striking out in the resolution the words "including 1925-26."

The SPEAKER. The Chair is informed that there is a Senate bill that ought to be substituted.

Mr. HUDSPETH. Mr. Speaker, I ask unanimous consent that that be done.

Mr. BEGG. Mr. Speaker, I do not think it is right to attempt to amend these bills now. None of these bills is in order, and when we grant permission for them to be passed, certainly their sponsors should not come in and take advantage of the situation and try to amend them, when all we can give to the matter is a very hurried investigation. I would not have consented to this bill coming up if I knew that it was to be amended.

Mr. HUDSPETH. Then, Mr. Speaker, in view of the statement of my friend from Ohio [Mr. BEGG], who, when I importuned him to do so, graciously withdrew his objection to the bill, and also at the suggestion of other western Members that we can extend this relief at the next December session, if it is found necessary—and I say to you now that it will be necessary—I withdraw my amendment and let the bill go through as originally drawn; but my personal judgement is the period should be extended for two years. [Applause.]

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

CROW TRIBE OF INDIANS—TO SUBMIT CLAIMS TO COURT OF CLAIMS

The next business on the Consent Calendar was the bill (H. R. 12129) authorizing the Crow Tribe of Indians of Montana to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That all claims of whatever nature which the Crow Tribe of Indians of Montana may have against the United States may be submitted to the Court of Claims for determination of the amount, if any, due said tribe of Indians from the United States under any treaties, agreements, or laws of Congress, or for the misappropriation of any of the funds of said Indians, or for the failure of the United States to pay said tribe of Indians any moneys or other property due; and jurisdiction is hereby conferred on the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine, as right and justice may require, and as upon a full and fair arbitration, all claims, if any, of said tribe of Indians against the United States, and to enter judgment thereon.

SEC. 2. If any claim or claims be submitted to said court, it shall settle the rights therein of each and all the parties thereto, notwithstanding lapse of time or statutes of limitation, and any payment, including gratuities, which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded as an offset in such suit or action, and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribe of Indians. The claim or claims may be presented by petition, subject, however, to amendment, suit to be filed within five years after the approval of this act; and such actions shall make the petitioner party plaintiff and the United States party defendant, and any other tribe or band of Indians the court may deem necessary to a final determination of such suit may be joined therein as the court may order. Such petition shall be verified by the attorney or attorneys employed by the Crow Tribe of Indians of Montana, under contract to be approved by the Secretary of the Interior, and shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys employed, and no other verification shall be necessary. Official letters, papers, documents, and public records, or certified copies thereof, may be used in evidence, and the departments of the Government shall give the attorney or attorneys employed as herein provided access to such treaties, papers, correspondence, or records as may be needed by such attorney or attorneys.

SEC. 3. Upon the final determination of such suit or cause of action, the Court of Claims shall decree such fee and expenses as it shall find reasonable to be paid to the attorney or attorneys employed therein by said tribe of Indians under contract negotiated and approved as provided by existing law, but in no case shall the fee decreed by said court amount to more than 10 per cent of the amount of the judgment, if any, recovered in such cause, and in no event shall such fee amount in the aggregate to more than $25,000, and shall be paid out of any judgment that may be recovered, and the balance of such judgment shall be placed in the United States Treasury to the credit of the Indians entitled thereto, where it shall draw interest at the rate of 4 per cent per annum.

With the following committee amendments:

Page 2, line 10, after the word "payment," insert the words "including gratuities."

Page 2, line 12, strike out the word "my" and insert the word "may."

Page 2, lines 24 and 25, strike out the words "in accordance with existing law" and insert "by the Secretary of the Interior."

Page 3, line 19, after the figures "$25,000," insert "together with all necessary and proper expenses incurred in the preparation and prosecution of the suit."

The amendments were agreed to, and the bill as amended was ordered to be engrossed and read a third time, was read the third time, and passed.

INDIAN TRIBES OF CALIFORNIA TO SUBMIT CLAIMS TO COURT OF CLAIMS

The next business on the Consent Calendar was the bill (H. R. 12123) authorizing any tribe or band of Indians of California to submit claims to the Court of Claims.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill.

There was no objection.

Mr. RAKER. Mr. Speaker, I ask unanimous consent to substitute for the House bill a similar Senate bill 4301, which has passed the Senate.

The SPEAKER. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the Senate bill.

The Clerk read the Senate bill, as follows:

Be it enacted, etc., That all claims of whatsoever nature which any tribe or band of Indians of California may have against the United States may be submitted to the Court of Claims for determination of the amount, if any, not exceeding $1.25 per acre, due said tribes or bands from the United States for lands formerly occupied and claimed by them in the said State, which lands are alleged to have been taken from them without compensation; and jurisdiction is hereby conferred on the Court of Claims, with the right of either party to appeal to the Supreme Court of the United States, to hear and determine all legal and equitable claims, if any, of said tribes or bands against the United States and to enter judgment thereon.

SEC. 2. If any claim or claims be submitted to said courts, they shall settle the rights therein, both legal and equitable, which shall be based upon the fair value of any such lands not exceeding $1.25 per acre at the time the tribes or bands were wrongfully deprived thereof, of each and all the parties thereto, notwithstanding lapse of time of statutes of limitation, and any payment which may have been made upon any claim so submitted shall not be pleaded as an estoppel, but may be pleaded by way of offset in such suit and the United States shall be allowed credit for all sums heretofore paid or expended for the benefit of said tribes or any band thereof. The claim or claims of the said tribes or any band thereof shall be presented jointly by petition, subject, however, to amendment, suit to be filed within two years after the passage of this act; and such action shall make the petitioner or petitioners party plaintiff or plaintiffs and the United States shall be the party defendant; and any other band or bands or tribes of California the court may deem necessary to a final determination of such suit may be joined therein as the court may thereafter order: *Provided*, That said court shall settle and determine the claims or rights of any such band or tribe as may be joined in said suit. Such petition may be verified upon information and belief as to the facts therein alleged by the attorney or attorneys employed by the aforesaid tribes or bands of Indians of California under contract approved by the Commissioner of Indian Affairs and the Secretary of the Interior under existing law, and shall set forth all the facts on which the claims for recovery are based, and said petition shall be signed by the attorney or attorneys so employed and no other verification shall be necessary; official letters, papers, documents, and public records, or certified copies thereof may be used in evidence and the departments of the Government shall give access to the attorney or attorneys of said tribes or bands thereof to such papers, correspondence, or records as may be needed by the attorney or attorneys for said tribes or bands of Indians: *Provided*, That the Secretary of the Interior shall prescribe such rules and regulations as may be necessary for the selection by the Indians of the attorney or attorneys, as provided for in the act.

SEC. 3. Upon the final determination of such suit, cause, or action the Court of Claims shall decree such fees as it shall find reasonable to be paid the attorney or attorneys employed by said tribes, but in no case shall the fees decreed by such court be more than 10 per cent of the amount of the judgment recovered in such suit, and in no event to exceed $25,000, exclusive, however, of all necessary and proper expenses incurred in the preparation and prosecution of the suit or suits therein provided for, such fee and expenses to be paid from the judgment, if any, entered against the United States.

SEC. 4. For the purpose of this act the tribes or bands of Indians of California shall be construed to mean those Indians residing in California at the time of the alleged deprivation of their lands and their descendants who are now actual residents of said State.

SEC. 5. The balance of such judgment shall be placed in the Treasury of the United States to the credit of the Indians entitled thereto, and shall draw interest at the rate of 4 per cent per annum until such time as the Congress shall otherwise direct.

SEC. 6. Upon the rendition of a judgment in favor of the Indians the Secretary of the Interior, under such rules and regulations as he may prescribe, shall cause a roll to be made of all the Indians entitled to participate in the judgment.

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

CONVEYING CERTAIN PORTIONS OF THE PRESIDIO TO SAN FRANCISCO

The next business on the Consent Calendar was the bill (S. 4264) authorizing the Secretary of War to convey certain portions of the military reservation of the Presidio of San Francisco to the city and county of San Francisco for educational, art, exposition, and park purposes.

The Clerk read the title of the bill.

The SPEAKER. Is there objection to the present consideration of the bill?

Mr. CONNALLY of Texas. Mr. Speaker, reserving the right to object, whose bill is this?

Mr. McKENZIE. Mr. Speaker, this is a bill in which the lady from California, Mrs. NOLAN, is interested.

This particular bill is of great interest to the people of San Francisco and it has been a matter of much concern to the worthy Representative of that great city in this body, Mrs. NOLAN, and it is but just to her to say that it was through her efforts the Committee on Military Affairs reported the bill and urged its passage, and it is very gratifying to see this unanimous approval of this House in this matter. Mrs. NOLAN was elected by the people of San Francisco to succeed her deceased husband, John Nolan, who had served in this body for many years. Mrs. NOLAN will leave the House March 4, voluntarily retiring, but it can be truthfully said that in her service here she has reflected credit on her State and people, and won the respect and admiration of the entire membership of this House, and it is with regret we see her go, but it is fitting that her last important service here was for her own beloved people.

The SPEAKER. Is there objection?

There was no objection.

The Clerk read the bill, as follows:

Be it enacted, etc., That the Secretary of War be, and he is hereby, authorized to convey to the city and county of San Francisco, subject to the conditions hereinafter specified, for educational, art, exposition, and park purposes, that portion of the military reservation of the Presidio of San Francisco, in the city and county of San Francisco, State of California, on which the Palace of Fine Arts is located, included within metes and bounds as follows:

Commencing at a point on the westerly line of Lyon Street, distant thereon 5.17 feet southerly from the northerly line of Bay Street, if extended and produced westerly, and running thence northerly along the westerly line of Lyon Street 1,196.80 feet; thence southwesterly on a curve to the left of 612 feet radius, central angle 155° 47′ 50″, tangent to a line deflected 102° 6′ 5″ to the left from the preceding course a distance of 1,664.13 feet to the westerly line of Lyon Street and the point of commencement, containing 9.93 acres, more or less: *Provided, however*, In the event of war or any other great national emergency, the United States shall have the right, which it hereby reserves, to take exclusive possession of said land and all improvements thereon, without the payment of any compensation therefor, and to hold, occupy, and use the same during the continuance of such war or emergency.

Said grant shall become effective only in the event that the city and county of San Francisco shall grant to the United States the right to maintain and operate over its public streets a spur track railroad extending from Fort Mason Military Reservation in the city and county of San Francisco to said Presidio Reservation, over such route or routes as may be determined by resolution or ordinance of the board of supervisors of said city and county and approved by the Secretary of War. If, before the 1st day of July, 1927, the city and county of San Francisco shall fail to grant by valid ordinance to the United States the right to maintain and operate said spur track, this grant shall become null and void, and title of said premises shall revert to the United States: *Provided, however*, That in any event until the 1st day of July, 1927, said city and county of San Francisco, may use, occupy, and retain possession of said Palace of Fine Arts and the ground upon which it is located.

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

DEPARTMENT OF INTERIOR APPROPRIATION BILL

Mr. CRAMTON. Mr. Speaker, I call up the conference report upon the Interior Department appropriation bill, H. R. 10020, and ask unanimous consent that the statement be read in lieu of the report.

The SPEAKER. The gentleman from Michigan calls up the conference report upon the Interior Department appropriation bill and asks unanimous consent that the statement be read in lieu of the report. Is there objection?

Mr. BLANTON. Mr. Speaker, reserving the right to object, I desire to ask the gentleman from Michigan a question. How many items of legislation are there still in disagreement?

Mr. CRAMTON. There are seven items brought back to the House for a separate vote.

Mr. BLANTON. And the gentleman is asking to insist on our disagreement to all of them?

Mr. CRAMTON. No; they will be taken care of as we get to them.

Mr. BLANTON. Will the gentleman let us know what items he is going to agree to?

Mr. CRAMTON. The conference report will be agreed to first, and then those items will be taken up separately.

Mr. BLANTON. I know that, but we ought to have a little time to know what we are up against. What items is the gentleman going to ask the House to agree to?

Mr. CRAMTON. Amendments Nos. 37, 43, and 44, as they stand, and some of the others with amendments.

Mr. BLANTON. That means a whole lot to the membership who are not familiar with those numbers.

Mr. CRAMTON. I supposed the gentleman from Texas to be thoroughly familiar with them. No. 37 relates to the salary of the Commissioner of Reclamation.

Mr. BLANTON. And that is changed to what?

Mr. CRAMTON. That is changed to $10,000. No. 38 relates to the total. Nos. 43 and 44 relate to an appropriation of $90,000 for the development of oil shale.

Mr. BLANTON. Is the distinguished gentleman from Michigan, who is a member of the Committee on Appropriations, going to ask the House to adopt a policy that will increase the salary of every bureau chief in the city of Washington to $10,000?

Mr. CRAMTON. The gentleman from Michigan has not been able to have his way absolutely on this bill, notwithstanding some reports to the contrary.

Mr. BLANTON. He is going to start that policy here and let the camel get his nose under the tent at this juncture.

Mr. CRAMTON. The action of the Senate provides for the increase and it now comes for the action of the House.

Mr. BLANTON. And the gentleman asks the House to adopt it.

Mr. CRAMTON. That will be my motion.

Mr. BLANTON. And when the House adopts it we are in the position of being hog tied and have to allow every other bureau chief in the District.

Mr. CRAMTON. Suppose the gentleman leaves the discussion of that amendment until we adopt the report.

Mr. BLANTON. To hear the discussion on this very important matter I make the point of order of no quorum so as to get the Members here.

Mr. CRAMTON. Will the gentleman withhold that point, because I fear that by the time the report has been read our quorum will have disappeared again.

Mr. BLANTON. I think they ought to hear the report read, and I make the point of order of no quorum present.

The SPEAKER. The gentleman from Texas makes the point of order of no quorum present. It is clear there is no quorum present.

Mr. TINCHER. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 92]

Ayres	Eagan	Langley	Rogers, Mass.
Bacharach	Edmonds	Larson, Minn.	Rogers, N. H.
Bacon	Evans, Iowa	Lazaro	Rosenbloom
Berger	Favrot	Lilly	Salmon
Black, N. Y.	Fenn	Logan	Schall
Boies	Fish	Lowrey	Sears, Nebr.
Brand, Ohio	Frear	McDuffie	Smithwick
Britten	Fredericks	McKenzie	Snyder
Browne, N. J.	Fulbright	McLaughlin, Nebr.	Spearing
Buchanan	Garner, Tex.	McLeod	Sproul, Ill.
Buckley	Garrett, Tex.	McNulty	Sproul, Kans.
Burdick	Glatfelter	Michaelson	Sullivan
Busby	Green	Moore, Ill.	Sweet
Butler	Griffin	Moore, Va.	Tague
Casey	Holaday	Morin	Thomas, Ky.
Clague	Hooker	Morris	Thompson
Clarke, N. Y.	Hull, Morton D.	Nelson, Wis.	Vare
Cleary	Hull, William E.	Nolan	Vestal
Connolly, Pa.	Jacobstein	O'Brien	Vincent, Mich.
Corning	Johnson, W. Va.	O'Sullivan	Ward, N. Y.
Cummings	Jost	Oliver, N. Y.	Watres
Curry	Kelly	Paige	Watson
Davis, Minn.	Kendall	Peavey	Wertz
Deal	Kerr	Peery	Wolff
Dickstein	Kiess	Perlman	Wood
Dominick	Kindred	Phillips	Wurzbach
Doyle	King	Porter	
Drane	Kunz	Rainey	
Drewry	Lampert	Roach	

The SPEAKER pro tempore (Mr. HILL of Maryland). On this roll call 317 Members have answered to their names. A quorum is present.

Mr. CRAMTON. Mr. Speaker, I move to dispense with further proceedings under the call.

The motion was agreed to.

The SPEAKER pro tempore. The Doorkeeper will open the doors.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that the statement may be read in lieu of the report.

The SPEAKER pro tempore. The gentleman from Michigan asks unanimous consent that the statement be read in lieu of the report.

Mr. HASTINGS. Mr. Speaker, has the report been submitted?

Mr. CRAMTON. Yes.

Mr. HASTINGS. I have no objection to it, but my colleague [Mr. CARTER] asked me to reserve all points of order, and I do not know whether that stage has passed, and on behalf of my colleague I desire to reserve all points of order.

The SPEAKER pro tempore. Is there objection to the statement being read in lieu of the report? [After a pause.] The Chair hears none. The gentleman from Oklahoma reserves all points of order. The Clerk will read the statement.

The conference report and statement are as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) "making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes," having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the Senate recede from its amendments numbered 1, 2, 3, 4, 5, 6, 7, 8, 9, 10, 15, 23, 31, 36, 45, and 49.

That the House recede from its disagreement to the amendments of the Senate numbered 11, 12, 13, 16, 17, 19, 20, 21, 22, 24, 25, 29, 39, 40, 41, 42, 46, 47, and 48, and agree to the same.

Amendment numbered 14: That the House recede from its disagreement to the amendment of the Senate numbered 14, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment, insert the following: "not to exceed $2,000"; and the Senate agree to the same.

Amendment numbered 18: That the House recede from its disagreement to the amendment of the Senate numbered 18, and agree to the same with an amendment as follows: In lieu of the matter inserted by said amendment insert the following: "$35,000, of which $10,000 shall be available only for the completion of the Taber feed canal"; and the Senate agree to the same.

Amendment numbered 26: That the House recede from its disagreement to the amendment of the Senate numbered 26, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided*, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project: *Provided further*, That no part of the sum hereby appropriated shall be expended for the construction of new canals or for the extension of the present canal system for the irrigation of lands outside of the forty thousand acres for the irrigation of which a canal system is now provided until a contract or contracts shall have been executed between the United States and the State of Montana, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, securing, selecting, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands"; and the Senate agree to the same.

Amendment numbered 28: That the House recede from its disagreement to the amendment of the Senate numbered 28, and agree to the same with an amendment as follows: At the end of the matter inserted by said amendment, insert the following: ", to remain available until December 31, 1925"; and the Senate agree to the same.

Amendment numbered 32: That the House recede from its disagreement to the amendment of the Senate numbered 32, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment, amended to read as follows: ": *Provided further*, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law, or water users' association or associations, providing for payment by the

district or districts, or water users' association or associations, as hereinafter provided: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March first, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands"; and the Senate agree to the same.

Amendment numbered 33: That the House recede from its disagreement to the amendment of the Senate numbered 33, and agree to the same with an amendment as follows: Restore the matter stricken out by said amendment amended to read as follows: " : *Provided*, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project: *Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract, in form approved by the Secretary of the Interior, shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by decree of a court of competent jurisdiction, which contract, among other things, shall contain a provision for an appraisal, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction of said Kittitas division, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be entered subject to the conditions of this section which shall be applicable thereto: *Provided further*, That no part of the sum hereby appropriated shall be expended for construction until a contract or contracts shall have been executed between the United States and the State of Washington pursuant to its land settlement act embodied in chapter 188, Laws of 1919, as amended by chapter 90, Laws of 1921, and by chapters 34 and 112, Laws of 1923, or additional enactments, if necessary, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 160 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands"; and the Senate agree to the same.

Amendment numbered 35: That the House recede from its disagreement to the amendment of the Senate numbered 35, and agree to the same with an amendment, as follows: In line 10 of the matter inserted by said amendment, strike out the words "until used"; and the Senate agree to the same.

The committee of conference have not agreed on amendments numbered 27, 30, 34, 37, 38, 43, 44, and 50.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

REED SMOOT,
CHARLES CURTIS,
WM. J. HARRIS,
Managers on the part of the Senate.

STATEMENT

The managers on the part of the House at the conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 10020) making appropriations for the Department of the Interior for the fiscal year ending June 30, 1926, and for other purposes, submit the following statement in explanation of the effect of the action agreed upon by the conference committee and submitted in the accompanying conference report:

On No. 1: Strikes out the language inserted by the Senate authorizing the President in meritorious cases to direct that the salaries of persons paid under the classification act might exceed the average of the compensation rates for the grade in those grades where only one position is allocated.

On No. 2: Strikes out the language proposed by the Senate authorizing the Secretary of the Interior to fix rates of compensation of field employees to correspond to rates established by the classification act for positions in the departmental services in the District of Columbia.

On Nos. 3, 4, 5, 6, 7, 8, and 9: Strikes out all Senate provisions for salaries and expenses of surveyors general, and restores the House language abolishing those offices.

On No. 10: Appropriates $840,290, as proposed by the House, instead of $792,820, as proposed by the Senate, for surveying public lands.

On No. 11: Appropriates $175,000, as proposed by the Senate, instead of $125,000, as proposed by the House, for salaries and commissions of registers of district land offices.

On Nos. 12 and 13: Strikes out the House language providing for the consolidation of offices of register and receiver at certain specified land offices, and provides instead for such consolidation of the offices of register and receiver at such land offices as may now have two officials.

On No. 14: Strikes out the House language limiting the expenses of tribal attorneys for the Choctaw and Chickasaw Tribes to $1,500 per annum, and retains the Senate language amended so as to authorize the Commissioner of Indian Affairs to determine the expenses of such tribal attorneys within a limit of $2,000 per annum each.

On No. 15: Strikes out the Senate language appropriating $115,767.67 for payment of taxes to the counties of Stevens and Ferry, in the State of Washington, on allotted Colville Indian lands.

On No. 16: Appropriates $130,000, as proposed by the Senate, instead of $120,000, as proposed by the House, for irrigation on Indian reservations.

On Nos. 17 and 18: Appropriates $35,000 instead of $10,000, as proposed by the House, and $45,000, as proposed by the Senate, for the Flathead Indian irrigation project in Montana, and makes the money available for continuing construction as proposed by the Senate, and further provides that $10,000 of the appropriation shall be available only for completion of the Taber feed canal.

On Nos. 19 and 20, relating to the appropriation for collection and transportation of Indian pupils to and from school, etc.: Makes $7,000 of the appropriation available for obtaining remunerative employment and for payment of transportation and other expenses to their places of employment for "Indians," as provided by the Senate, instead of "Indian youths," as provided by the House, and provides for the refund of such transportation and expenses when practicable.

On No. 21: Makes immediately available, as proposed by the Senate, the appropriation of $20,000 for the enlargement of the school building at Sequoyah Orphan Training School, near Tahlequah, Okla.

On No. 22: Appropriates from Osage tribal funds $20,620, as proposed by the Senate, instead of $20,260, as proposed by the House, for the education of Osage children.

On No. 23: Strikes out the Senate language authorizing the maintenance outside the District of Columbia of the office of the director of reclamation economics.

On Nos. 24 and 25: Appropriates $439,000, as proposed by the Senate, instead of $408,000, as proposed by the House, for the Boise (Idaho) irrigation project and eliminates the House language making the appropriation unavailable for investigations, examinations, surveys, or plans for or work upon any extension of the project.

On No. 26, relating to the Sun River project, Montana: Restores the House language modified by the elimination of the provision for terms of payment, and the provision for appraisal, etc., of private lands and by limiting the provisions of State cooperation in settlement to the new division.

On No. 28: Appropriates $25,000, as proposed by the Senate, for operation, maintenance, and incidental operations of the Williston (N. Dak.) irrigation project, amended so as to make the money available until December 31, 1925.

On No. 29: Reappropriates for the fiscal year 1926, as proposed by the Senate, any unexpended balance of the appropriation of $315,000 made by the second deficiency act, fiscal year

1924, for continued investigations, commencement of construction, and incidental operations in connection with the Owyhee project, Oregon.

On No. 31: Appropriates $900,000, as proposed by the House, instead of $1,000,000, as proposed by the Senate, for Salt Lake Basin (Utah) irrigation project.

On No. 32, relating to the Salt Lake Basin project, Utah: Restores the House language, modified by elimination of the provisions for terms of payment and also by including option of organization of water users' association instead of irrigation district.

On No. 33, relating to the Kittitas division, Yakima project, Washington: Restores the House language, modified by elimination of the provisions for terms of payment.

On No. 35, relating to the Umatilla Rapids project, Oregon: Reappropriates and makes immediately available, as proposed by the Senate, the unexpended balance of the appropriation of $50,000 for investigations of the feasibility of this project contained in the act of March 4, 1923 (42 Stat. L. 1540).

On No. 36, relating to cooperative investigations of the feasibility of reclamation projects, including Guernsey Reservoir of the North Platte project, the Spanish Springs project, the Owyhee and Vale projects, projects in the Salt Lake Basin of Utah, the Kittitas division of the Yakima project in Washington, and the Casper-Alcova project in Wyoming: Strikes out the Senate language reappropriating for 1926 any unexpended balances remaining at the close of the fiscal year 1925 from the appropriation of $125,000 for these purposes made by the second deficiency act, 1924, approved December 5, 1924.

On Nos. 39 and 40: Appropriates $265,000 as proposed by the Senate, instead of $250,000, as proposed by the House, for the examination and classification of lands, by the Geological Survey.

On No. 41, relating to the operation of mine rescue cars: Retains the Senate language making the appropriation available for the purchase of cooks' uniforms, goggles, gloves, and other necessary equipment.

On No. 42, relating to the appropriation for testing fuel: Authorizes $28,000 as proposed by the Senate, instead of $23,000 as proposed by the House, for personal services in the District of Columbia.

On No. 45, relating to the appropriation for the Grand Canyon National Park: Authorizes the construction of a "comprehensive sewage disposal system" as proposed by the House, instead of a "septic tank" as proposed by the Senate, at administrative headquarters on the south rim.

On No. 46, relating to Platt National Park, Okla.: Strikes out the House language appropriating $11,920 for administration, protection, maintenance, and improvement, and $6,000 for auto camps, including comfort stations, in all, $17,920; and retains the Senate language appropriating a like aggregate amount for the same purposes, in a lump sum.

On No. 47, relating to the appropriation for Yellowstone National Park: Authorizes $6,600 as proposed by the Senate, instead of $5,100 as proposed by the House, for purchase, maintenance, and operation of horse-drawn and motor-driven passenger-carrying vehicles.

On No. 48: Appropriates $25,000 as proposed by the Senate for the development of Carlsbad Cave, New Mexico.

On No. 49: Strikes out the Senate language appropriating $1,500 for installing of oil-burning equipment in the governor's residence, Juneau, Alaska.

The committee of conference have not agreed upon the following amendments of the Senate:

On No. 27, appropriating $500,000 for the Spanish Springs irrigation project, Nevada.

On No. 30, appropriating $500,000 for the Vale irrigation project, Oregon.

On No. 34, reappropriating the unexpended balance of the appropriation of $375,000 for the Kittitas unit of the Yakima project, Washington, made by the second deficiency act, 1924, approved December 5, 1924.

On No. 37, relating to the salary of the Commissioner of Reclamation.

On No. 38, relating to the total under the Bureau of Reclamation.

On Nos. 43 and 44, appropriating $90,000 for the development of oil shale.

On No. 50, relating to the appropriations for Howard University.

LOUIS C. CRAMTON,
FRANK MURPHY,
C. D. CARTER,
Managers on the part of the House.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent to revise and extend my remarks.

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

Mr. JOHNSON of Washington. Is the gentleman going to discuss the reclamation amendment now?

Mr. CRAMTON. Yes.

Mr. JOHNSON of Washington. Does not the gentleman think it is advisable to have a quorum here——

Mr. BLANTON. I think it would be a good idea.

Mr. JOHNSON of Washington. I do not want to take the gentleman off his feet——

Mr. CRAMTON. But I do not want to take up too much of the time of the House.

Mr. JOHNSON of Washington. But there are some rather startling things being done in reference to reclamation that will make it go out of business.

Mr. CRAMTON. I do not like to yield to the gentleman for such an erroneous statement.

Mr. JOHNSON of Washington. I would like to call this to the attention of the House and let them know what is happening as we go along. However, I will not make the point.

Mr. CRAMTON. Mr. Speaker, I do not expect to speak at any great length at this time. The conference report now presented to the House upon the Interior appropriation bill is very nearly a complete report. There are three matters pertaining to reclamation projects still in disagreement, but the principles set forth in the part of the bill already adopted, if applied to those, will dispose of them. There are one or two other matters. The bill has been a long time in conference. The conferees on the part of the House have strenuously endeavored to represent in conference what they believed to be the judgment of the House, and we come back to you with the action of the House indorsed in this conference report. The matters most material which were in controversy related first to the abolition of certain more or less useless offices in carrying out the administration economy program. You recall that the Department of the Interior and the General Land Office therein have recommended that all the surveyors general should be abolished and their work placed under the supervisor of surveys, a consolidation that would do away with certain officers no longer needed. As to that proposition, that was a very practical and very real measure of economy on the part of the administration. It was ratified by this House without any division of sentiment whatever. The Senate restored all of those surveyors general and contended in conference for their retention; but in the conference report before you the Senate has receded, the House position is upheld, and all of these surveyors general—after a controversy lasting many years—all of these offices are abolished.

Then comes the question of registers and receivers where the House had rejected certain language recommended by the committee for the abolition of certain-named land offices. That list was stricken out in the House. The amount of money for the maintenance of the land offices was not changed. The Senate have made clear that all of the receivers are to be abolished so that each office that remains will have only one officer, and suggest an increased amount of $50,000, making $175,000. The current year it is $315,000. Your House conferees accepted the language and amount proposed by the Senate, so the conference report makes a reduction of $140,000 this year with reference to these land offices. A large number of these land offices will be closed; in fact, are already being closed.

Secretary of the Interior Work February 20 abolished 10 local land offices located in various sections of the country effective April 30.

The Secretary's action was taken under an act of Congress providing for the discontinuance of local land offices where the amount of public land under their control is less than 100,000 acres and their cost of operation exceeds 33½ per cent of their earnings. In the case of these local land offices permanently closed it was found that the amount of public land under their jurisdiction had decreased below this figure and the earnings had fallen off to such an extent that the cost exceeded them by over 33½ per cent.

The names of the offices discontinued and the offices taking over their public land, records, and archives follows by States:

ABOLISHED OFFICES

Arkansas: Harrison, consolidated with Little Rock.

California: Eureka, consolidated with Sacramento.

Colorado: Lamar, consolidated with Pueblo; Sterling, consolidated with Denver.

Idaho: Lewiston, consolidated with Coeur d'Alene.

Minnesota: Duluth, consolidated with Cass Lake.
Montana: Kalispell, consolidated with Great Falls.
Nebraska: Lincoln, consolidated with Alliance.
New Mexico: Clayton, consolidated with Santa Fe.
South Dakota: Bellefourche, consolidated with Pierre.

The offices at Vernal, Utah, and Dickinson, N. Dak., were ordered closed a little time before.

While those amounts may not be large, yet joined with the surveyors general, they will be in the vicinity of between $200,000 and $300,000 of annual saving; and whatever the saving may be, that will go on, not for one year, but for all the years hereafter.

The General Land Office and the Secretary of the Interior are to be highly commended for their real program of economy which is being carried out, and in which Congress is cooperating in this bill as agreed upon in Congress.

Furloughing without pay of 36 surplus employees, effective March 1, and the retirement of 11 other surplus employees of the General Land Office was announced a week ago by Secretary Work.

Reduction in the force of this bureau is being made in accordance with the policy of the Interior Department to get the daily work out promptly with the minimum number of employees necessary and keep the expenditures within the appropriations made by Congress, which for the General Land Office have been reduced by approximately $617,000 for the fiscal year of 1926 as compared with 1925.

Because of the decrease in the business transacted by the General Land Office, Secretary Work several weeks ago inaugurated a survey of this bureau for the purpose of coordinating its activities, abolishing the nonessential work of its various divisions, and making the necessary changes in office methods and personnel. This survey has not yet been completed.

The cause of the decrease in the public-land business of the Government is the fact that practically all the fertile public lands have already been homesteaded and most of the remaining lands is not susceptible of cultivation or capable of producing a livelihood for a family.

The result has been that applications of every variety of homestead entry on the public domain have fallen off at a startling rate. Statistics just compiled show that during the past five years stock-raising entries have decreased from 20,979 in 1920 to 7,006 in 1924. Original desert-land entries, which totaled 1,026 in 1920, numbered only 317 in 1924. Original homestead entries on the public domain were 48,532 in 1920, as compared with 13,886 in 1924. The mineral leasing act entries, authorized by the mineral leasing law of 1920, have declined from 10,575 in 1920 to 6,067 in 1924.

Disposition of isolated tracts of land belonging to the Government by public auctions during the last five years has also diminished, indicating that the amount of public land that may be offered through public sales to the highest bidders is gradually disappearing. The number of public auctions conducted by the General Land Office in 1920 was 2,339. In 1924 the number of public auctions had fallen off to 423. Auction sales on abandoned military reservations reached the lowest figure last year in the history of the General Land Office. There were only 6 auction sales of land on abandoned military reservations in 1924, as compared with 160 in 1920.

The other matter, with reference to reclamation projects——

Mr. COLTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. COLTON. The gentleman uses the term "offices of surveyors general." He means the positions, does he not? The offices, as I understand, will remain open to the service of the public as they are now?

Mr. CRAMTON. The job is abolished. The work will be consolidated with another office, probably in the same town, perhaps in a different building from that occupied heretofore. The work of the surveyors general and the work of the supervisor of surveys in each city will be brought together in one office.

Mr. COLTON. That is what I wanted to bring out, that the service to the people will still be afforded.

Mr. CRAMTON. It was supposed it would be brought here, but that is a mistake. The two branches under the General Land Office will be consolidated in the field.

Mr. SIMMONS. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SIMMONS. Will this speed or retard the work of the office?

Mr. CRAMTON. It is insisted that it will improve the service.

Mr. SIMMONS. It is to be hoped so.

Mr. CRAMTON. It is insisted that it will improve the service by having a technically trained man on hand instead of a politician. The following letter from the Secretary of the Interior sets forth the department view:

THE SECRETARY OF THE INTERIOR,
Washington, December 11, 1924.

Hon. REED SMOOT,
United States Senate.

MY DEAR SENATOR SMOOT: I would like to say in support of our recommendation to Congress, to abolish the positions of surveyors general in the General Land Office, that on June 25, 1910, Congress authorized the survey of the public lands under the direct supervision of the Commissioner of the General Land Office, thus abolishing the system of surveys by contract under the direction of the surveyors general theretofore in force.

One of the reasons for this modification of the law was the changing character of the surveys which were becoming more difficult because of the topographic character of the unsurveyed lands. The expense of the work had increased excessively and administration had become inadequate and unsatisfactory.

Under the new system many townships reported as unsurveyable by contract surveyors have since been successfully surveyed at reduced cost and gross errors in survey and fraudulent work have been avoided.

The offices of surveyors general were continued under this change in system, however, and they continued to prepare the final returns of survey. While their duties were greatly diminished otherwise by the change, every effort has been made by the General Land Office to use them to the best advantage, even though their organization machinery was constructed for a purpose which Congress has abandoned.

One year ago the Commissioner of the General Land Office recommended the discontinuance of the positions of surveyors general. Since then I have given it attention, and believe them to be fragments of an old system that had been changed years ago to one that eliminated the necessity for them by creating the position of supervisor of surveys. This official is promoted through the ranks by civil service. The surveyors general are presidential appointees. Each reports directly to the Commissioner of the General Land Office. Each has a separate and distinct office force. There can be no sympathy or cooperation between them; indeed, the opposite occurs.

A unified organization such as would result if the offices of surveyors general were abolished would eliminate these troubles. Furthermore, the public, in my opinion, would be better served and the change would add materially to the engineering value and expedite the work now in arrears.

I believe also that the accounting service under the surveyors general and that incident to the field surveying, including disbursements of public moneys, should be consolidated under one properly bonded administrative head. Such consolidation will make for economy by eliminating approximately 12 disbursing officers, at large salaries, who are now furnished with financial clerks to do the actual work.

No other changes in personnel of the offices of surveyors general than that suggested in this letter is contemplated, nor is any proposal to close the offices or remove them from their present locations under consideration. The offices of surveyors general, if abolished by law, will be consolidated with the field surveying service under the supervision of the supervisor of surveys, who has largely replaced the surveyors general in the conduct of field surveys.

The saving in salaries paid to the 12 surveyors general will be $37,000, and the saving in salaries of accounting and financial clerks is estimated to be $12,000, a total of $49,000. Ultimately further savings will result from the action recommended.

Being expected to expedite the business of the General Land Office, to reduce its cost to taxpayers by limiting its operating necessities to its diminishing volume of business, I must support the recommendation of the Commissioner of the General Land Office that the offices of surveyors general be discontinued. Our General Land Office appropriation for 1926, as carried in the bill, is $617,010 below the 1925 appropriation, and we must eliminate every unnecessary activity of this service to avoid incurring a deficit.

Very respectfully,

HUBERT WORK.

Mr. SIMMONS. I have had a case pending for several years——

Mr. CRAMTON. I hope it will be reached next year. Knowing the gentleman from Nebraska, I am sure an attempt will be made on his part and that it will be accomplished.

Mr. SIMMONS. I thank the gentleman for his good opinion.

Mr. CRAMTON. The work of the subcommittee with reference to reclamation items was, from the time we commenced to consider the bill, November 12, a matter of great difficulty because of the fact that the reclamation policies of the Nation

are now, perhaps, on trial before the bar of public judgment more than ever before, the service is disorganized, and legislation is entangled and incomplete. A fact finding commission appointed by the Secretary of the Interior has made a survey and has reported that some large amount of money, perhaps reaching as high as $30,000,000 or $40,000,000 or $50,000,000, now due the Federal Government on account of construction cost and maintenance, will have to be wiped off the slate; that disaster is impending; that there will have to be adjustments; how much I do not know. But the Director of Reclamation, before our committee a little while ago, admitted that possibly it might reach some such sum as $30,000,000 or $40,000,000 or $50,000,000 out of the $150,000,000 now owing us, though I think he hopes it will not reach so large a figure.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. RAKER. Notwithstanding any statement made in the fact finding commission's report, none of this money will be wiped out and the Government made to lose it without an opportunity be given here later, will it?

Mr. CRAMTON. I do not know what the gentleman means about opportunity. I think the skids are pretty well greased, the ways are being cleared. There has to be congressional action, but whether we will have more opportunity to pass upon it than we did upon certain legislation that I will refer to in a moment I do not know.

Mr. RAKER. I hope that this House will never permit that money to be canceled off and the Government defeated in recovering legitimate expenses.

Mr. CRAMTON. The process is under way now. I am glad to know the attitude of the gentleman from California. I was assured of it before, but a lot of things can happen here that neither he nor I approve of.

Mr. BLANTON. Mr. Speaker, will the gentleman yield for a question? It will be a pertinent question.

Mr. CRAMTON. I will yield to the gentleman briefly.

Mr. BLANTON. If the gentleman will just let the membership of this House know things and understand things, they will act properly. The trouble is, gentlemen let things go through here without apprising the House of what is going on.

Mr. CRAMTON. Except when the pressure comes and the matter is held up, and you have got either to take this or not let the appropriation go through.

Mr. BLANTON. If you tell the House, the House will back you up.

Mr. CRAMTON. I am going to give you something tangible on that.

Mr. FRENCH. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. FRENCH. The gentleman said $150,000,000 was due.

Mr. CRAMTON. Yes; I said it was due. Perhaps I should have said it is owing.

Mr. FRENCH. The amounts range in time from a year and up, possibly to 20 years. Possibly only 10 are due now.

Mr. CRAMTON. Of the $150,000,000 owing to the Government not already matured, there is possibly $30,000,000 or $40,000,000 or $50,000,000 that may be defaulted. It seemed to this committee that when the reclamation program was making such a showing as that it was not the time for us to rush blindly into the inauguration of new projects, and especially because of this: The reason for that proposed wiping off of the slate, if there is one, will be largely because of mistakes that have been made in the selection of projects.

And I will say this—and I think no one will gainsay it—that those mistakes, responsible for that loss of money, have not been due to errors of the department as much as they have been due to the action of Congress, where from time to time, because of political exigency and political log-rolling and political influence, projects have been initiated; initiated because of political necessity, and not out of regard for their merit. And so I say, with that object lesson before us, it seemed to your committee nothing less than ridiculous to be now starting new projects not with a view to their merits but with a view to the political situation.

Mr. MERRITT. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. MERRITT. As to that $20,000,000 to $40,000,000 that the gentleman says is due and not paid, what proportion does that amount bear to the amounts which have been due and paid? That is to say, what proportion of the maturities have been met as they have become due?

Mr. CRAMTON. Well, we have done a lot of extending. On a former occasion I put into the RECORD certain figures on that, but I have not them at hand.

Mr. MERRITT. Does the gentleman say that the defaults on payments due are somewhat alarming?

Mr. CRAMTON. In his message to Congress April 21, 1924, transmitting the fact finders report, President Coolidge said:

> The facts developed by the special advisory committee show that of the Government's total investment, $18,861,146 will never be recovered. There will be a probable loss of an additional $8,830,000. These sums represent expenditures in the construction of reservoirs, canals, and other works for the irrigation of lands that have proven unproductive. I recommend that Congress authorize the charging off of such sums shown to be impossible of collection.

At that time the report in question stated that 14.2 per cent or $2,537,222.16 of the construction costs then due remained unpaid, and 17.6 per cent or $2,423,649.06 of the operation and maintenance costs remained unpaid. To this should be added several millions of both construction and operation and maintenance costs which had come due and been extended under relief legislation.

I will say this: This fund was created 20 years ago. When I first presented the bill this year, in December, I pointed out that the department expects that next year, the next reclamation season, the receipts from operation and maintenance will be less than the cost of operation and maintenance in the reclamation service as a whole. Now, with that situation before us and with that situation showing us the danger of letting politics pick out these projects without thorough investigation or consideration of their merits, what happened? Last June, when the deficiency appropriation bill had gone to the Senate, in the last days of the session, they added several new reclamation projects, most of which had not then been recommended by the department or the Reclamation Service and had been only partially investigated and really were given no consideration in Congress.

Mr. RAKER. Will the gentleman yield?

Mr. CRAMTON. For a brief question, yes.

Mr. RAKER. I want to call the gentleman's attention to the fact that eight years ago the law was amended whereby we could collect our money, and up until last week not one single dollar had been collected under the bill providing that the department could collect it if they wanted to.

Mr. CRAMTON. But just now the issue is not one of collecting that past due money; the issue is one of throwing good money after bad, and that is what I want to talk to you about now. In that appropriation bill they started several projects. Any Senator who wanted one started in his State could have it started by merely offering an amendment to the appropriation bill and it would go in. Do you know what happened in connection with one State? They wanted $200,000 out of the Treasury for a certain project. One Senator from that State got up and offered an amendment about two pages long and, of course, it was accepted.

A few minutes later another Senator from that State, not knowing it had already gone in the bill, got up and offered identically the same amendment, and, of course, it was accepted, and that $200,000 was put in twice. The House did, however, succeed in keeping it out. They not only did that, but in view of some recent criticism in the Senate of the fact that there is some legislation in this bill, please note that in that appropriation bill last June they put in four pages of general legislation with reference to reclamation, unconsidered and incomplete and largely undesirable. And this House had no opportunity to consider, improve, or reject it. I want to refer you to one provision. Heretofore this reclamation fund was loaned for 20 years without interest; in other words, we would charge them 5 per cent a year and forgive the principal after 20 years. This new legislation provides that hereafter—and understand that this legislation was not put on in an orderly way; it was put on in this deficiency bill, and we were told here in the House on the last day of the session, "You have got to accept that language just as it stands or you will not have any deficiency bill." Then it did happen that one Senator, who had an item in the bill that had been approved by the Budget, if you please, and was left out by the conferees, and who really had good cause for complaint of discrimination, killed the deficiency bill by a filibuster and it did not pass until December.

Now, here is part of the language that was loaded onto the appropriation bill in that abrupt way by the Senate:

> SUBSEC. F. That hereafter all project construction charges shall be made payable in annual installments based on the productive power of the land as provided in this subsection. The installment of the construction charge per irrigable acre payable each year shall be 5 per cent of the average gross annual acre income for the 10 calen-

dar years first preceding, or for all years of record if fewer than 10 years are available, of the area in cultivation in the division or subdivision thereof of the project in which the land is located, as found by the Secretary annually. The decision of the Secretary as to the amount of any such installment shall be conclusive. These annual payments shall continue until the total construction charge against each unit is paid. The Secretary is authorized upon request to amend any existing contract for a project water right so that it will provide for payment of the construction charge thereunder in accordance with the provisions of this subsection or for the deferment of such construction charges for a period of three years from the approval of this section, or both.

In other words, we lend them the money and then they are going to pay it back 5 per cent per annum of the gross productive capacity of the land. Now, what is the effect? When the Reclamation Service came before us with reference to items of new construction or the continuation of old projects, we asked, "How long is it going to be before you will get your money back under this new law? They have repealed the 20-year period under this new law, and how long will it be before you get the money back from these new projects?" Well, here is the first answer they gave: That in the case of the Kittitas project, entirely privately owned lands, if you please, it would be from 117 to 138 years before the Government is expected to get its money back, without interest. That is in the hearings. Later they modified that. That did not look so good, and they modified their statements as to some of them. I think they have now gotten it down to 96 years. They did not give an estimate as to the Spanish Springs project, but I understand they now figure it at 55 years, and as to the Vale project they figure 84 years. That is the way it runs on these projects under this new legislation. Under that new legislation we are loaning money from the reclamation fund for from 55 to 138 years, without interest. Do you wonder that they are urgent and insistent out in those States to have us come in and spend our money on those terms? Well, the committee had that situation before it. The following is the table appearing on page 316 of our hearings:

Economic data regarding five proposed projects [1]

Items	Name of projects				
	Baker	Vale	Owyhee	Spanish Springs	Kittitas
Total irrigable (acres)	27,000	28,000	[2] 80,960 [3] 46,600 [4] 12,000	46,600	70,000
Private (acres)	15,000	24,000	121,560	30,000	65,000
Public (acres)	12,000	4,000	18,000	16,000	5,000
Total cost works	$4,000,000	$3,587,000	$16,800,000	$6,404,000	$8,756,000
Cost per acre	$148	$128	[2] $137 [3] $117 [4] $25	$138	[5] $125
Acre cost of development	$100	$150	$187	$160	$112
Recommended					
Size of farm unit (acres)	60-80	20-80	20-80	50	80-160
Capital a settler will need	$2,000-4,000	$2,500-5,000	$2,500-5,000	$1,500-7,500	$2,500-6,000
Amount cost to develop	$6,000-7,000	$7,500	$7,500	$8,000	$6,000-12,000
Estimated actual income	$37	$35	$40	$50	$30
Time needed to repay construction (years)	90-106	67	75	----------	117-138
Number of new settlers needed	250	575	1,500	750	500

[1] From best available data at present time.
[2] New lands; full water supply.
[3] Pumping districts.
[4] Owyhee ditch (partial water right).
[5] Engineer estimates cost may be $137 per acre.

Advice and direction:
Baker: A competent agriculturist needed.
Vale: A competent agriculturist needed.
Spanish Springs: Expert to advise on methods of developing farms.
Kittitas: Needs practical business superintendence.

Mr. RICHARDS. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. RICHARDS. Is it not a fact that the legislation which was put on in this so-called disorderly way is in keeping with the recommendation of the Reclamation Service?

Mr. CRAMTON. Well, as to that, I asked Doctor Mead, but he did not say but what it was all right, so far as it went, but that it was incomplete. However, he said this—and he said it explicitly and several times—that under the law as it stands not one of these new projects is feasible. By feasible he means that under the present law not a one of these projects can be expected to pay the money back to the Treasury.

Mr. RICHARDS. Will the gentleman yield further?

Mr. CRAMTON. Yes.

Mr. RICHARDS. Did he not also say at that hearing that this kind of legislation would enable them to decide the feasibility, and if proper, they would go on with the construction of these projects?

Mr. CRAMTON. Oh, yes; he suggested we give them the appropriation, and then they would come to Congress and get the further legislation that they needed. My idea was that we should know what we are doing before we spend the money. The following appears in the Spanish Springs hearing, on pages 463–464 of our hearings:

Doctor MEAD. I recommend that it be built, and coupled with that recommendation that there be a change in the settlement law.

Mr. CRAMTON. Is it not putting the cart before the horse for Congress to appropriate the money before it performs the condition which you say should be a precedent to the construction?

Doctor MEAD. I think that is a matter for Congress to determine.

Mr. CRAMTON. No; it is not. Your recommendation is based on the condition that you be given authority by Congress to select settlers for the project and you say that unless that is done you do not consider the project feasible. Would it not be the proper order then for you to first ask that authority of Congress and secure it before you recommend this project?

Doctor MEAD. The two things go together. I do not see any objections to the appropriation of the money if that condition as to feasibility is continued there and Congress knows what is involved in feasibility.

Mr. CRAMTON. So that is what you mean by feasibility. Your idea would be more clearly met if, instead of using the language that is here, we should appropriate the money and say, "provided none of this money shall be available until Congress gives the Reclamation Service the authority to select the settlers." That expresses your idea?

Doctor MEAD. Yes.

Mr. FRENCH. Doctor Mead, do you consider as one of the precedents for beginning this work a program that would mean the leveling of the land, too, at the cost you suggested—approximately $50 per acre in addition—or would you recommend the project upon the basis of your answer to the chairman of the committee, even were the question of leveling left to the settlers themselves?

Doctor MEAD. That could be left. The reason that this is brought in is that it is believed it will contribute to the early return of the income, that it will lessen the liability of loss. It makes it a more solvent undertaking. It will increase very greatly the chances of securing desirable settlers. I do not make that a condition, the same as in the other case, because there is a possibility if we have the chance of selecting settlers, that we will secure settlers with good capital. If we do not, we must do something else; that might take the form of some provision by which settlers could borrow the money to carry on and do it themselves. I am not wedded especially to the provision of doing this work for settlers, but I do have considerable misgiving about our ability, without some credit provision being provided, to secure the settlers with capital to develop their farms.

Mr. CRAMTON. That refers to the old $7,000 per 50-acre farm?

Doctor MEAD. Yes.

Mr. CRAMTON. Not just the $2,000 for leveling?

Doctor MEAD. No.

Mr. RICHARDS. Just one more question.

Mr. CRAMTON. I yield, but I must not take up too much of the time of the House.

Mr. RICHARDS. Is it not the purpose of the gentleman to now add legislation in this bill that is in keeping with the program of the Bureau of Reclamation?

Mr. CRAMTON. No general legislation. I am glad the gentleman has asked the question because it brings up the question at issue immediately. What we have tried to do in framing this bill is this. We could not frame general legislation as the Senate did in the deficiency bill last June, but we did feel that when we recommend one-half million dollars to be spent, we owe it to the Treasury of the United States and to the people who contribute the money there that we surround the appropriation with such language as the Bureau of Reclamation thinks is necessary to properly safeguard its return to the Treasury, and we have put nothing in but what has had the approval of the Bureau of Reclamation.

Mr. RICHARDS. Does not the gentleman feel that such legislation as embraces an entirely new policy in so far as reclamation is concerned should be properly considered by the Congress?

Mr. CRAMTON. It should have been last year, and should be now.

Mr. RICHARDS. And such matters should be referred to the proper committee.

Mr. CRAMTON. If you gentlemen from the West would defer your insistence on having projects started until the legislation is provided that will safeguard the money we are content to wait, but inasmuch as there is insistence upon appropriations, we have felt that the safeguards must accompany them.

Mr. SIMMONS. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SIMMONS. I think an inference is left by one statement that the gentleman just made that the gentleman did not intend.

Mr. CRAMTON. I am speaking hurriedly and that may be true.

Mr. SIMMONS. And that is that this is the taxpayers' money that is being appropriated. I take it the gentleman does not want that inference to be left.

Mr. CRAMTON. I know the very fine distinction that gentlemen from the West make that it is not the taxpayers' money from Michigan or from Kansas, but it is money in the reclamation fund. In the first place, let me say that the money in the reclamation fund is a trust fund and we are its custodians, and we owe it to the West, whether they think we are kind or not, to see that that money is not improperly dissipated.

Mr. CARTER. Will the gentleman yield?

Mr. CRAMTON. Yes; I yield to my colleague.

Mr. CARTER. Will the gentleman explain how the money comes into the reclamation fund?

Mr. CRAMTON. That is the next thing involved. The money in this revolving fund is not revolving, so to speak. It does not revolve. I pointed out that you are going to spend this year more for operation and maintenance than you take in, and there will only be a small amount of repayment for construction work. The great bulk of the money that comes into this fund—over $7,000,000 this year—comes from the receipts from our oil and coal leases on the public lands.

Mr. BLANTON. And where did the original money come from?

Mr. CRAMTON. Oh, that came out of the Treasury.

Mr. RAKER. Will the gentleman yield for just one question and that is this: Why disappoint ourselves; why do we try to misunderstand this proposition? This money is money of the Government which is collected as other money is collected, but the Congress put it in this fund to be used for this purpose, but nevertheless it is money of the Government of the United States.

Mr. CRAMTON. Yes; and we are responsible for its proper expenditure.

Mr. BANKHEAD. Will the gentleman yield for one brief question?

Mr. CRAMTON. I yield.

Mr. BANKHEAD. As I understand it, this reclamation fund also involves public property in a great many States of the Union that have never derived one dollar of benefit from this reclamation fund.

Mr. CRAMTON. Yes; originally, the theory was that we would spend it in the public-land States just in the proportion that they paid in the money, but it was found, for instance, in Kansas where they had a project there and had to abandon it afterwards. The conditions are not always most favorable just in proportion to the geography of the receipts.

Mr. JOHNSON of Washington. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. JOHNSON of Washington. I would like to ask the gentleman how many new projects are in this particular bill, if any?

Mr. CRAMTON. I will come to that in just a moment.

Mr. JOHNSON of Washington. And also whether, in the gentleman's opinion, it is contemplated that any of the existing projects shall die off under the legislation in this bill.

Mr. CRAMTON. Oh, no.

Mr. RAKER. Will the gentleman yield for just one question on the Kansas matter? The Committee on Irrigation of the House defeated the Kansas matter and it should have been defeated, but it was put in as a rider on an appropriation bill and the Government lost that money when it should not have lost one cent.

Mr. CRAMTON. That is just like some projects up in Montana, the Fort Peck proposition, and some others that I am not familiar enough with the subject to designate, but most of the mistakes have been made in Congress.

Mr. LEAVITT. The Fort Peck project is on an Indian reservation.

Mr. CRAMTON. Yes.

Mr. LEAVITT. And that was constructed out of Indian money.

Mr. CRAMTON. But we made a mistake on the Indians' funds instead of the reclamation funds.

Mr. LEAVITT. And it was not in connection with the general reclamation work.

Mr. CRAMTON. But it was the same legislative method of doing things.

Mr. SIMMONS. Will the gentleman yield?

Mr. CRAMTON. I yield.

Mr. SIMMONS. If my memory serves me rightly, about 90 years ago some $28,000,000 in the Federal Treasury derived from the sale of public lands was turned over by the Congress to the treasuries of certain 25 Eastern States, of which the gentleman's State got between $300,000 and $400,000. I wonder if we ought not to ask for that money to come back.

Mr. CRAMTON. I hope the gentleman introduces the bill, and if there is any valid or equitable claim, we will not try to hold up a great department appropriation bill to defeat it. Having that situation before us, we have surrounded each of these new matters in the bill with limitations. We could not go back to existing projects, we could only take those where the appropriation was proposed to begin a new project. There were in the Budget three new projects—the Kittitas in Washington, the Sun River in Montana, the Spanish Springs in Nevada, and the Senate has added the Vale in Oregon. As set forth in the Kittitas appropriation as it left the House the language was as follows:

Yakima project (Kittitas division), Washington: For construction of the Kittitas division and incidental operations, $375,000: *Provided*, That no part of this appropriation shall be used for construction purposes until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided. The Secretary of the Interior shall by public notice announce the date when water is available under the project, and the amount of the construction costs charged against each district shall be payable in annual installments, the first installment to be 5 per cent of the total charge and be due and payable on the first day of December of the third year following the date of said public notice, the remainder of the construction charge, with interest on deferred amounts from date of said public notice at 4 per cent per annum, to be amortized by payment on each December 1 thereafter of 5 per cent of said remainder for 40 years, or until the obligation is paid in full: *Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract in accordance with the terms of this act and in form approved by the Secretary of the Interior shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by decree of a court of competent jurisdiction, which contract, among other things, shall contain an appraisal approved by the Secretary of the Interior, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction of said Kittitas division, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be entered subject to the conditions of this section which shall be applicable thereto: *Provided further*, That no part of the sum hereby appropriated shall be expended for construction until a contract or contracts shall have been executed between the United States and the State of Washington pursuant to its land settlement act embodied in chapter 188, Laws of 1919, as amended by chapter 90, Laws of 1921, and by chapters 34 and 112, Laws of 1923, or additional enactments, if necessary, whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 160 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands.

Here are the safeguards, referred to as briefly as I can: First, an irrigation district should be organized so that the Government would do business with one organization instead of several hundred water users.

Then we provide that interest shall be paid at the rate of 4¼ per cent, with an amortization of 40 years. Most of this is now private land, some of it exclusively so. The Kittitas is entirely private land. When the reclamation fund was founded the reports and debates on the bill which became the reclamation law show that it was contemplated there would be some lands in private ownership that would receive benefit from irrigation projects built by the Government, but such beneficial use by privately owned lands was to be merely incidental to the operation of the main projects. It was repeatedly pointed out that the most of the land to be benefited by the enactment of the law would be lands then owned by the Government. Senator Clark, of Wyoming, asserted that the ratio would be at least 50 to 1 (p. 2221, CONGRESSIONAL RECORD, 57th Cong., 1st sess.).

There was much opposition to the bill on the ground of its alleged unconstitutionality. The answer to that argument was that the bill proposed improvements to the property of the Government. This would preclude the position that it would be constitutional for the Government to engage in works of irrigation for the benefit of privately owned lands only. A careful reading of the debates in Congress while the bill was under consideration would make it appear very doubtful whether it would have been regarded as within the province of the Federal Government to engage in a work of this nature where none but privately owned lands were to be recipients of the benefits.

But, on the contrary, in the Kittitas it is 10 to 1, private lands. In other words, we are taking money out of a Federal fund to go to the State of Washington and improve private lands.

In the Salt Lake improving lands privately owned, but settled and privately irrigated, we are spending Federal money to give them additional water supply. We suggested in our report that it was time we commenced treating this as a business matter, and provided for interest with a 40-year amortization plan.

Then we put in a limitation for the price of the land. Heretofore the speculators got hold of the land, and the more favorable the Federal Government made the terms with reference to interest the more velvet there was for the speculator. He sold it at topnotch prices with the enthusiasm of the moment that might lead the settler to pay any price; then the settler, loaded up with his mortgages, and so forth, at a high rate of interest, when the pinch came on, of lower farm prices for produce, he had to pay the local banker and had no money to pay the Government. That is what has ruined some existing projects.

So we put on, first, just as we put on the San Carlos bill passed by Arizona, and which was accepted by the gentleman from Arizona [Mr. HAYDEN] the provision that there must be an appraisal of the land before we entered on construction. They must agree to an appraisal without reference to the construction work, and thereafter the sale price of the land should be subject to approval by the Secretary of the Interior. That is to safegaurd the settler, so that the man that goes on the land is going to get the benefit of the easy terms provided by the Government. We ask for the payment of the operation and maintenance charges in advance, and to make it easy, the first year there is no charge. On all private projects and also on Salt River project the charges are payable in advance, as in Arizona. Paying the charges in advance, and you are sure of getting them.

Then we provide for State cooperation in the selection of the settlers and financing the settlers. In a letter by the Secretary of the Interior sent to the President, under the date of December 11 last, he said this:

> On all projects undertaken hereafter the State in which the development is located should participate in the selection of settlers and the development of farms. The States should not be required to contribute to construction costs, but should be required to contribute to the fund provided for advances to settlers for farm development, as they now contribute to the construction of roads and to agricultural education.

That is the attitude of the department. I will admit that it is not clear whether it is advocated that it should be exclusively at the expense of the State, but the history of reclamation emphasizes the necessity of such advance to the settlers including land and purchasing stock, and he said it was vital to the success of the project that that be done. Now if it is going to be done, how is it going to be done? The Federal Government that has out now $150,000,000——

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. SUMMERS of Washington. Why does the gentleman make the statement that there is $150,000,000 owing to the Government? That is no more due than if the gentleman had given a note for 5 or 20 years, and 1 year after the man comes and says, "I loaned you so much money, and I can not get it." I think the gentleman ought to be fair in his statement before the House.

Mr. CRAMTON. Does not the gentleman know that the commission has made a report that there are now $20,000,000 or $30,000,000 that should be wiped off the slate, and Congress having approved, and by legislative authorization has appointed a commission to determine where and how much should be wiped off the slate.

The Secretary of the Interior has appointed as a committee to make that investigation two members of that fact finding commission, and the Assistant Secretary of the Interior, and each State where there is a project located has been invited to put somebody on the board so that the local sentiment will be properly represented. In other words, the skids are greased and the thing is moving to a final development when from $10,000,000 to $30,000,000 will be wiped off the slate.

Mr. SUMMERS of Washington. Why does the gentleman say that the $150,000,000 the Government can not get back?

Mr. CRAMTON. I do not want to be understood as saying that the $150,000,000 could not be gotten back.

Mr. SUMMERS of Washington. That is what the gentleman did say.

Mr. CRAMTON. I misspoke myself then, if I said that. One hundred and fifty million dollars is owing to the Government, and not all of it will ever come back, and we are greatly concerned about how much.

And now new burdens are to be put on the Federal reclamation fund. A bill passed the Senate yesterday and a similar bill was reported in the House to-day, that proposes that this whole burden, not only of going into a State and building a project to irrigate privately owned land—100 per cent privately owned lands—the Government loaning them the money without interest for from 50 years to 150 years, and in addition, further it is recommended by the Senate and by the committee of the House that we shall also take unto the Federal Treasury the burden of financing these settlers on privately owned lands, to the tune of $3,000 to $7,000 per settler, subsidizing them in that way. There are many Members here who represent great agricultural districts all over this whole country, and they are now asked by the Senate and by the committee of this House to subsidize agriculture to that extent in these public-land States at a time when the Congress sits here for two years and gives no effective consideration to any legislation extending credit or other aid to agriculture elsewhere in the country. [Applause.]

What kind of a record do you expect to make before the agricultural districts? I have on my desk letters of protest from the State of Washington and from the State of Minnesota and elsewhere against developing more land to compete with lands now devoted to agriculture. Here are two:

YAKIMA, WASH., *February 12, 1925.*

L. C. CRAMTON,
Congressman, Washington, D. C.:

Hold all reclamation appropriations down. All markets glutted, except wheat. No new projects needed for years. Propaganda for such comes from speculators, commercial clubs, and boosters. Letter follows. All business now suffering from overproduction.

MINNESOTA STATE BOARD OF IMMIGRATION,
St. Paul, January 8, 1925.

Hon. KNUD WEFALD,
House of Representatives, Washington, D. C.

DEAR MR. WEFALD: Through the daily press I learn that "an appropriation of $500,000 for development of the Spanish Springs, Nev., irrigation project has been restored to the Interior Department bill by the Senate Appropriations Committee."

Minnesota has fully 15,000,000 acres of fertile undeveloped agricultural lands that can be purchased by prospective settlers at low prices and easy terms, and can be put under cultivation and brought to a high state of productivity without the expenditure of a single dollar of Government funds. Similar conditions exist to some extent in other West-Central States, and for this reason the expenditure of vast sums of public funds to construct irrigation plants and bring under culti-

vation many acres of land that were never intended by nature to be used for agricultural purposes seems at this time entirely unwarranted.

This office is in receipt of letters protesting against the proposed action and urging that the matter be taken up with our Representatives in Congress.

Yours very truly,

O. H. SMITH,
Commissioner of Immigration.

There is talk about a glutting of the market, but these gentlemen who are so enthusiastic for reclamation money to be spent in their States want not only the Government to loan the money for 50 to 150 years without interest with which to build these projects but in addition they want us to lend the settler $3,000 when he first goes onto this barren land, in order to clear it up and buy livestock, and that is to be loaned to him for 20 years at about 4 per cent.

Mr. RAKER. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. RAKER. I am not speaking of what is not of record, but the testimony has been taken and the Committee on Agriculture did report out this bill that the gentleman speaks of, but it was reported out under suspension of the rules by the committee without reading the bill, without allowing it to be amended, or without consideration. That is the way that that matter comes before the House.

Mr. CRAMTON. I thank my friend; but they get them out here anyway, and if we do not pass them, then some deficiency appropriation will come along and the Senate will hang it onto the deficiency bill and say that we must take that or we will not get any bill.

Mr. HUDSPETH. Mr. Speaker, I want to get the gentleman's idea relative to State financing. Some States can not loan money for private purposes. For instance, the constitution of my State prohibits that. Do you apply this to all States where irrigation projects exist or to just certain States? Is it a general or a special policy?

Mr. CRAMTON. I would like to see the Committee on Irrigation of Arid Lands bring out general legislation when we have time to talk about it and put it in proper shape. Those things could be thrashed out at such a time. I mean legislation that would apply alike to all projects, but I have not seen much inclination to bring out legislation except legislation that was going to give them something more than they already have. So all we could do was to try to safeguard the appropriations that we were bringing before the House. We could not reach the existing projects, but we could the new ones like Kittitas, Sun River, Spanish Springs, and Vale. I do not believe the Federal Government ought to take whole responsibility of financing these settlers. More than that, I think if we loan them the money without interest to build the project, the State ought to step in and supervise their settlement and the financing of their settlers in so far as it is not possible to be done under the Farm Loan Board.

Mr. SUMMERS of Washington. Mr. Speaker, the gentleman has said repeatedly that the Kittitas is a 100 per cent privately owned project, but the hearings say that of the area 6,626 acres are public lands.

Mr. CRAMTON. And how much is the other?

Mr. SUMMERS of Washington. Seventy-nine thousand three hundred and forty-four.

Mr. CRAMTON. I am a few per cent off.

Mr. SUMMERS of Washington. The gentleman laid great stress upon the fact that it was a 100 per cent privately owned project.

Mr. CRAMTON. Well, let us make it 80 per cent.

Mr. STENGLE. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. STENGLE. The gentleman has discussed most interestingly pretty much all of his report, but I ask him whether he will not touch on amendment No. 37?

Mr. CRAMTON. We will come to that later. There will be a separate debate on that. I believe the Federal Government ought not to pay all of the expenses in financing these settlers, and it ought not to bear any of them. That leaves only the State to do it, so we inserted language here that had the approval of the Director of Reclamation, whom I do not want to unfairly quote. He says this has to be done by somebody and I do not think he cares whether the Federal Government or the State government, but if the States do it he approves this language, simply providing that the State shall make a contract to assume the responsibility and duty of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 160 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive.

That does not state how much the State has to do in financing, how much money must be loaned, but it does put the responsibility of financing the settler, in so far as the settler is financed, upon the State.

Now in one case, the State of Washington has already a land settlement law and a fund to do this very thing, but they have resisted very strenuously the idea of spending any State money on a Government project.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. CRAMTON. I understand it is only for a few soldiers out in Washington.

Mr. SUMMERS of Washington. Will the gentleman yield?

Mr. CRAMTON. Very briefly.

Mr. SUMMERS of Washington. The law that is on the statute books of the State of Washington will not permit our compliance with what is written into this law. It requires special legislation.

Mr. CRAMTON. The State already has blazed a trail for State settlement of their lands and the financing of their settlers, and it seemed to us if they could do that on a project where the State furnished the money to develop a project they could do it on a project where the Federal Government had furnished the money for the development of the project.

Mr. LOZIER. That State and the State of Texas and the other States have powers to amend their constitutions, do they not, so as to give them power to comply with the provision if they wanted to do so?

Mr. CRAMTON. Those are things we tried to do. We went into the conference, and nobody gets all he wants in conference. We finally got an agreement in conference by which we yielded on the question of interest and terms of payment, and the Senate conferees yielded on the other. That report has been approved by the Senate and it is now before you for your ratification, and I hope that the conferees, who have worked strenuously toward the upholding of the position taken by the House, I hope that they will have the support of the House in a ratification of this report.

Mr. SIMMONS. Will the gentleman yield?

Mr. CRAMTON. I will.

Mr. SIMMONS. I understand the gentleman disapproved the action taken by the Senate in putting legislation on an appropriation bill and now asks the House to approve that action of the conferees of the House?

Mr. CRAMTON. I ask——

Mr. SIMMONS. Pardon me just a moment. I am in a quandary as to whether the gentleman who is objecting to legislation on an appropriation bill approves or disapproves of this action.

Mr. CRAMTON. Personally I disapprove entirely of legislation on an appropriation bill, but when the Senate puts on an appropriation bill incomplete legislation and the department says that these projects will not pay the money back unless certain other things are done, I think we ought to do those other things before we appropriate several million dollars of money. I reserve the remainder of my time.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. CRAMTON. I do.

Mr. EVANS of Montana. Do I understand it is the contention or purpose of the gentleman to put on this limitation compelling the States to finance the settler on all future appropriations for projects?

Mr. CRAMTON. Well, far be it from me to say what will be done at some other time. In my judgment it ought to be done. I think there ought to be general legislation brought in the next session of Congress dealing with the question, and if such general legislation should pass dealing with the subject, of course, my committee would cheerfully follow it.

Mr. EVANS of Montana. Does not the gentleman apprehend that to put this provision into effect on the projects generally will absolutely annul and kill reclamation?

Mr. CRAMTON. Reclamation has a very precarious existence if that is true. I must reserve the remainder of my time.

The SPEAKER. The gentleman does not intend to yield the floor?

Mr. CRAMTON. No. I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The conference report was agreed to.

The SPEAKER. The Clerk will report the first amendment in disagreement.

The Clerk read as follows:

Page 75, at the top of the page, insert: "Spanish Springs extension, Newlands project, Nevada: For continued investigations, commencement of construction, necessary expenses in connection therewith, and for operation, under the provisions of section 5 of the act entitled 'An act making appropriations to supply deficiencies in certain appropriations for the fiscal year ending June 30, 1924, and prior fiscal years, to provide supplemental appropriations for the fiscal year ending June 30, 1925, and for other purposes,' approved December 5, 1924, $500,000."

Mr. CRAMTON. Mr. Speaker, I yield to the gentleman from Nevada [Mr. RICHARDS] to make a motion.

Mr. RICHARDS. Mr. Speaker, I move that the House recede and concur in the Senate amendment.

Mr. CRAMTON. Mr. Speaker, I desire to offer a preferential motion to recede and concur with an amendment. If necessary, in order to make that preferential, I will ask a division of the pending question.

The SPEAKER. The gentleman from Michigan moves to recede and concur with an amendment. The first question comes on the motion to recede.

The question was taken, and the motion was agreed to.

The SPEAKER. The gentleman from Michigan moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CRAMTON moves to recede and concur with an amendment, as follows: In lieu of the matter inserted by the Senate, substitute the following:

"Newlands project, Spanish Springs division, Nevada: For continued investigations, commencement of construction, and necessary expenses in connection therewith, $500,000: *Provided*, That no water shall be delivered to irrigators on this division outside of the limits of the Truckee-Carson project until a contract or contracts, in form approved by the Secretary of the Interior, shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided: *Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands owned by the Southern Pacific Co. until an appropriate contract, in form approved by the Secretary of the Interior, shall have been properly executed by the said company fixing the price and conditions of sale of said lands to actual settlers; and such contract shall provide that until one-half of the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the Spanish Springs division shall be entered, subject to the conditions of this section which shall be applicable thereto: *Provided further*, That no water shall be delivered to irrigators on this division of the project until a contract or contracts shall have been executed between the United States and the State of Nevada whereby the State shall assume the duty and responsibility of promoting the development and settlement of the Spanish Springs division of the project after completion; the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies; and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this division shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands: *Provided further*, That the existing water rights of the present water users of the Newlands project shall have priority over the water rights of the proposed Spanish Springs division: *Provided further*, That the lands on the existing project below the Lahontan Reservoir shall not be liable for any part of the construction costs of the Spanish Springs division: *Provided further*, That all net revenues from any power plant connected with the Spanish Springs division of the Newlands project shall be applied to the repayment of the construction costs incurred by the Government on said division until such obligations are fully repaid, and all net revenues from any power plant connected with the Lahontan Reservoir of the Newlands project shall be applied to the repayment of the construction costs incurred by the Government on the existing project until such obligations are fully repaid."

Mr. BLANTON. Mr. Speaker, I make a point of order against this amendment and against the conference report.

The SPEAKER. It is too late to make a point of order against the conference report.

Mr. BLANTON. Well, I will withdraw it.

Mr. JOHNSON of Washington. Mr. Speaker, I make a point of order against this particular amendment.

Mr. RAKER. Will the gentleman withhold it for a moment?

Mr. JOHNSON of Washington. Yes.

Mr. RAKER. No matter how we feel, this will get legislation and protect these people. Let us try it. I hope the gentleman will not make the point of order.

Mr. JOHNSON of Washington. Here is something which nobody believes can be performed by a State.

Mr. RAKER. Give this project a chance to live, and let us help the State take care of it. This is necessary in order to protect the irrigation district and to protect the Government.

Mr. BLANTON. The point of order is not in order now anyway.

Mr. CRAMTON. Mr. Speaker, in regard to this item I desire to yield to the gentleman from Nevada [Mr. RICHARDS] 10 minutes.

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

Mr. RICHARDS. Mr. Speaker and gentlemen of the House, we have just listened to a most illuminating discussion of the economy program observed by the conferees on the part of the House concerning the Interior Department appropriation bill. I wish to state that during my short career in Congress if there is anything that I have learned and which has been forcibly brought to my attention, it is that I represent a State that does not occupy a most enviable position. It is not a great political power in the scheme of things that go to make up our Government.

I want to say this, that it deserves more consideration than it receives at the hands of the National Congress in many instances because of the part it played during the crisis of our Union. I want to say, my friends, that it is often referred to as "the State made by telegraph." But it was due to that fact that the immortal Lincoln was enabled to fulfill his political plan and bring about a conservation of the Union that we believe everybody is delighted with. I believe we as a whole people are better pleased to be united than divided, and that is what the State of Nevada helped to do. In passing I want to remark further that, due to the outpouring of nature's wealth from our mines during that war and after, it was the bounteous supply of the treasures of the Old Comstock Lode of Virginia City that assisted this Government in the resumption of specie payments at a time when it was most desired by the people of our country.

Now, I do not want to say anything that is offensive to anybody or that takes into consideration the merits of any irrigation project. I just want to recapitulate for a minute the position that Nevada has been forced to take, in so far as all the legislation that has been passed and proposed during this Congress is concerned.

There may be merit—I consider there is merit—in the proposition advanced by the gentleman from Michigan [Mr. CRAMTON] that we ought to have some legislation in so far as a reclamation program is concerned with reference to new projects. That is the proposition, if we would fortify and conserve and preserve the interests of our Government before spending the money. It is an exemplification of business acumen that ought to be exercised in the affairs of Government the same is in our own private affairs.

But let me tell you the history of the matter in so far as we of Nevada are concerned. At the beginning of the last session of Congress we all made our presentations and our desires known for reclamation appropriations. There were six new projects pending before Congress. Out of those six there were two that were recommended for action. Of those two, Spanish Springs was one. It was originally estimated for by the Budget at $800,000. What happened? Further consideration was had, and Spanish Springs was recommended for $200,000.

We come to the final action of Congress in so far as reclamation projects are concerned, and what do we find recorded? We find that five other projects, one of which was recommended and four of which were not recommended, were appropriated for, and Spanish Springs is conspicuous by its absence.

If that is not discriminatory in so far as the use of the public funds is concerned, I do not know the meaning of the term.

Allusion has been made that because of selfish action on the part of our senior Senator he killed the bill a year ago.

Mr. CRAMTON. Mr. Speaker, I hope the gentleman from Nevada does not feel that I made any reference that was critical of the Senator from Nevada. Certainly I did not refer to anything as a selfish act. I remember I threw into my re-

marks the statement that this item was the only one that was approved by the Budget and which was left out. I do not want to be construed as being critical of the Senator from Nevada.

Mr. RICHARDS. Then I certainly have mistaken the position of the gentleman, because I thought it critical. So far as that particular feature is concerned, when we had proceeded to the point where we should have our legislation, being one of those projects recommended and the only one left out out of self-respect for the position he had been forced into, there was nothing else left to do but to show his justified resentment. The only method left to follow he selected. I want to say in passing that we of Nevada do not hanker after such an attitude. It is just as disagreeable for us to be arbitrary as it is disagreeable to those people who suffered by reason of that arbitrary action. But when it comes down to a proposition of using Federal funds, we have fulfilled all the requirements that give us that privilege, and some have not fulfilled them, and they are favored over and above us who have complied with the requirements, so that might be said to be occasion for resentment.

Now, what happened under the present bill? We have a recommendation from the Secretary of the Interior, Bureau of Reclamation, from the Fact Finding Commission, from Mr. Mead, the Commissioner of Reclamation; we have had our Commission on Agriculture and Economics appointed by the Secretary of the Interior study the proposition, and they have recommended it, and we have had our local business men and our bankers, appointed by the same Secretary, study it, and they have recommended it. In so far as premising our position is concerned, we have done all that is possible, and the Bureau of the Budget has inserted a $500,000 appropriation. The bill comes to the House with the item covering Spanish Springs left out. Again we are discriminated against. The Senate restored the item.

Mr. HUDSPETH. Will the gentleman yield?

Mr. RICHARDS. Yes.

Mr. HUDSPETH. The gentleman does not object, if this appropriation is made, to giving the Government or this fund a sufficient guaranty that it will be paid back, does he? I have understood that has been the policy.

Mr. RICHARDS. There is legislation on the statute books now which authorizes such contracts as will guarantee this payment. If they can not make that kind of a contract they should not spend the money. That is all.

The SPEAKER pro tempore (Mr. LEHLBACH). The time of the gentleman from Nevada has expired.

Mr. CRAMTON. Mr. Speaker, I yield the gentleman five additional minutes.

Mr. EVANS of Montana. Will the gentleman yield?

Mr. RICHARDS. For a short question; yes.

Mr. EVANS of Montana. Will the gentleman give the House the benefit of his judgment or his information as to whether or not the State of Nevada could comply legally with the terms of this amendment?

Mr. RICHARDS. Absolutely not under the present conditions, because I do not think our constitution provides for it.

Mr. EVANS of Montana. So that the appropriation might as well not be made.

Mr. RICHARDS. Exactly. I want to say that we of Nevada are somewhat surprised as to this amendment, and I want to refer for just a moment to a colloquy that took place in the Senate the other day when Senator WALSH of Montana and Senator SMOOT were talking about the Spanish Springs project:

Mr. SMOOT. The Senator must admit that the House did not put anything into the bill at all as to that project.

Mr. WALSH of Montana. Exactly.

Mr. SMOOT. Therefore the question of Spanish Springs has never been voted upon in the House; it has never been presented to the House; but the Senate put that item in just as the Senate wanted it.

Mr. WALSH of Montana. Yes; the Senate put in the appropriation for Spanish Springs without any such condition at all, announcing the views of the Senate; but it is in, and the House has acquiesced in it, as I understand the matter.

Mr. SMOOT. No; the Senator is mistaken in that. The conference report can not go to the House until the Senate has acted upon it, as we have the papers. The Spanish Springs item and the Vale item——

Mr. WALSH of Montana. No; I am speaking about the amendment numbered 27, as to which the conferees have agreed.

Mr. SMOOT. No; that has not been agreed to. There are three items in the bill that are compelled to go back to the House of Representatives for action on the part of the House.

Mr. WALSH of Montana. Then, is it the understanding of the Senator that when the report goes back to the House that body will attach this condition?

Mr. SMOOT. I can not say what they will do; I can not compel the conferees on the part of the House to say what they will do. The only thing which was said about it was that they thought there would be no question about the three items which would go back to the House.

Mr. WALSH of Montana. Let me ask the Senator this question: In the discussion of this matter and in the discussion which resulted in the conclusion that the Spanish Springs item would go back to the House was anything said about attaching such conditions to it?

Mr. SMOOT. No. We were merely informed that the matter had to go back to the House.

Mr. WALSH of Montana. Oh, yes; it has got to go back to the House to be approved, I understand, but the House, of course, may send it back with an instruction. Will the House send it back with an instruction to attach to it such a condition as is attached to the appropriation for the Sun River project and for the Kittitas project?

Mr. SMOOT. I do not think it will, I will say to the Senator, from the remarks and the statements which were made in the general discussion by Mr. CRAMTON and others.

We were absolutely in a position where we did not expect any further tampering with the Senate amendment.

Mr. CRAMTON. Will the gentleman yield?

Mr. RICHARDS. Yes.

Mr. CRAMTON. The discussion in the conference was probably two or three weeks ago, and I do not wonder that Senator SMOOT's recollection should not be quite as clear as to exactly what I said as mine would be. Of course, I know he was speaking in entire good faith, and the gentleman will note that he several times said that he did not know as to whether we intended to offer an amendment here or not. But what did happen as to this project and as to the Vaile project was this: The statement was made that we would have to come back to the House; that we did not know whether we would agree to the items or not. At that time no hearing had ever been held before any committee of Congress with reference to the Vaile project. The statement was made that if we did conclude to yield we would want to surround the appropriations by limitations similar to those on Kittitas and Sun River and these limitations could not be agreed to in conference, and for that reason we would have to bring the matters back to the House.

Mr. RICHARDS. I thank the gentleman for that information. Now, after learning that there was some desire on the part of the gentleman in charge of the conference report to offer an amendment we tried to get together; an effort was made in that direction and he submitted to our Senators the proposed amendment to the amendment.

I wish to read to you a part of the letter written by Senator PITTMAN to the gentleman from Michigan [Mr. CRAMTON], because of the fact that it states the proposition concisely and possibly better than I could do it without the letter. Now, this, my friends, has to do with the restriction on the alienation of the property, a provision that is going to be written into the reclamation program that is absolutely diametrically opposed to all constitutional guaranties of the rights of the disposition of property. Now, if it comes down to the proposition where we have got to be our brother's keeper in these reclamation projects and if it is better that we make the home seeker hold his possessions until a certain portion of the construction charges are paid, it seems to me it is proper that we take the proposition before a proper committee, a reclamation committee, and study this new feature and this new departure. We do not know whether it is proper for a man to pay one-third of his construction charges back before he is permitted to alienate or one-half or three-fourths; he may be a prosperous individual; he may know something about farming, and he might have $20,000 worth of improvements on his property, free of debt, and yet you are going to invoke a principle in general legislation on an appropriation bill that is going to deprive him of the right of saying whether he shall sell or not. Senator PITTMAN says in his letter:

> Your third contemplated amendment provides for the restraint on the sale of the land until one-half of the construction charges against said land shall have been fully paid. This is general legislation that has never had the consideration of the Senate. I have had no opportunity to study the suggestion. It might be that a quarter or a third or two-thirds of the construction charges should be paid before the alienation of the land is permitted. I am unable to advise with regard to this matter, and therefore can not consent to it.

Now comes the proposition of making the State contribute to the financing of these constructions. We have no privilege under our Constitution to do that. And another thing, my friends. Even though it were true, as evidenced here by a question, that it is possible to amend our Constitution, I say

that this is general legislation and should be subjected to scrutiny and to the hearings of a committee that knows something about this matter. In other words, we are placed at a great disadvantage in respect to this thing, and then they say, "Well, then, why do you not wait?" I want to venture the proposition that if it comes down to everybody waiting we will wait, but when it comes down to the consideration of new reclamation projects and we are one that is recommended and there are others that are recommended against, and they receive favoritism, and we get no consideration, I claim that is discrimination. There is a feature of old lands under contract with the Government for water on the Newlands project that are to be provided with the water from the storage at Spanish Springs. The Government has failed to fulfill its part of the agreement and will do so if storage for that purpose is provided. I have not time to go into this phase of the proposition now. I am opposed to the amendment to the amendment, and I hope the House will vote it down.

The SPEAKER pro tempore. The time of the gentleman from Nevada has again expired.

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentleman from Montana [Mr. LEAVITT].

Mr. LEAVITT. Mr. Speaker and gentlemen of the House, I am sure it is not the purpose of this Congress to play the part of Shylock with regard to the reclamation projects of the West and that it is not the intention of Congress to adopt a policy that will require its pound of flesh regardless of the effect upon the life of these projects.

I take the floor for one purpose only, and that is to call attention to the fact that a bill has been reported out that would have to do with general legislation on these matters.

My belief is that that bill should be allowed to have consideration before this House. If it is amended, well and good, if that is within the will of the House, but now the demand has been made for general legislation. Let us have the opportunity to consider the measure which has been passed by the Senate and which has to-day been reported out by a majority of the Reclamation Committee of the House.

With regard to the item in this bill that has to do particularly with my district, the Sun River project in the State of Montana, that has in it one or two provisions I would prefer, and greatly prefer, were not there. There is a constitutional provision that would make it difficult, indeed, for Montana within one year or within two years, since the legislature of that State has to-day adjourned, to meet the provisions that are there, but it is in this bill in such a form that it does not for a moment stop the beginning of the construction of the storage works on that project; and remember, gentlemen of the House, this is not a new project.

This is a project which has been under way for 20 years. This is merely the completion of an old project which will, of course, mean the addition of some 40,000 acres not now under ditch, and I have preferred after conference with the members of the conference committee of the House, to have this provision remain in the bill, rather than have the beginning of the storage works stopped and the construction not start at this time, because it is needed by settlers who have been waiting for it for 15 or 18 years.

This has been consistently my attitude. Mr. Speaker, I say to the House that only one side of the reclamation question as it exists in the West has been presented to the House to-day. This subcommittee has promised it will visit many of the reclamation projects this summer. I wish others of you who come from other parts of the country would likewise visit the reclamation projects of the West, so that you could meet the people on them face to face, so that you could know that many of their difficulties are due to mistakes that were made when the original reclamation law was passed, making it necessary for them to meet conditions that it was almost impossible to meet. It was not a matter of bad judgment or faith on the part of the Congress, but simply lack of experience, because there was no place in the United States where this sort of situation had been met and where these problems had been worked out. We made errors in the original reclamation law, and our problem now is not to play the part of Shylock and demand the pound of flesh even though it takes the life blood of the people on these projects, but to meet and discuss this question and to arrive at a conclusion written into a general law that will be fair at once to the United States and to the people on the reclamation projects of the West. [Applause.]

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentleman from California [Mr. RAKER].

Mr. RAKER. Mr. Speaker and gentlemen of the House, reclamation is a success. I am in favor of reclamation. I am in favor of the Government assisting in these reclamation projects in the future as it has done in the past. I am in favor of these men paying back to the Government this money that has been advanced.

On public land I am perfectly willing to let them have the money without interest. On projects where it is privately owned land, where the Federal Government develops the land, the money ought to be paid back with at least 4 per cent interest, and no man can justify anything else.

Under the report of the fact finding commission they claim there will be from $25,000,000 to $35,000,000 that should be charged back. My contention is that if the law is enforced the Government would not lose a dollar.

Under the present amendment now pending before the House regarding the Spanish Springs project, I have been familiar with that project since I was a boy, from the head of the stream down to where the land is now irrigated. It adjoins my home. I have been over it hundreds of times. I know the condition of the present Truckee project. I know that the State of California has been yielding, and is yielding to-day, its rights of water to the end that the State of Nevada may advance and improve. We want to help develop our sister State. Commissioner Mead testified before the Committee on Irrigation within the last three days that every one of these new projects would be a failure unless the Government lent these men from $1,500 to $3,000 for the purpose of developing privately owned lands, 85 per cent of it in the new projects. This does not apply to the present projects now in existence where the men need money. It applies to the new projects. It is on contemplated projects in the future; and I want to say to my friend the gentleman from Nevada [Mr. RICHARDS] nobody will go further to develop the Truckee project and the Spanish Springs project than myself. The only thing in this amendment with reference to that project that is lacking is that it ought to provide for interest, but it does not. The rest of them are not on interest because that has been stricken out from the rest of the bill and, of course, this ought to go in in the same way.

Why should we advance money without interest or develop alternate sections belonging to the Southern Pacific Railroad free from interest? The water of the Truckee River to-day is running to waste down past this land, and these farmers are being deprived of the water because they are getting a small consideration from an electric plant, and the water is running past the Lahontan Dam into the desert and not used. Power plants that have no rights on earth are allowing the waters of the Truckee River and of Lake Tahoe to run to waste because they stipulated a judgment without the Government having the right to present its case, and these settlers are losing the benefits of that water.

The Fact Finding Commission reported there should be at least from $4,000,000 to $5,000,000 charged off of the present Truckee project. They are asking now to include 30,000 additional acres, and at least 40,000 acres of the present Truckee project which has been irrigated, with people living on it, are to be abandoned.

The SPEAKER pro tempore. The time of the gentleman from California has expired.

Mr. RAKER. May I ask the gentleman to yield me three more minutes?

Mr. CRAMTON. I yield three minutes to the gentleman from California.

Mr. RAKER. Why should not the State of Nevada guarantee that these men who are on the project should make a success rather than the Federal Government? That is all that is asked for in this case. Why should people that have been on the Truckee project near the Lahontan Dam be compelled to pay for a project up above Wadsworth?

Mr. RICHARDS. Is it not the policy and the original idea of the reclamation to reclaim and develop Government lands?

Mr. RAKER. Yes; and I have gone to the limit. I went over this project before it was opened; I went over it when the committee of the House and the Senate went over it in 1910; and I have been personally familiar with it. I want to say to my friend from Nevada that I will go the limit in that sand out there to make it habitable. I have seen sagebrush land that would not raise a jack rabbit, and to-day there are prosperous homes with stacks of alfalfa hay raised on it. I want the citizens of Nevada to take their stand in the light of the development of the country instead of depending on the Federal Government. I want to say that this amendment makes a success of the project.

Mr. RICHARDS. The gentleman takes the position that Nevada should render financial assistance to develop Federal territory?

Mr. RAKER. No; it has no relation to this; the Government is going down and advancing to you over $15,000,000.

Mr. RICHARDS. We are going to pay it back.

Mr. RAKER. Pay it back like the $25,000,000 that have been expended and that the fact finding commission says is going to be charged off. So let us make this a success. Let the State be interested and take care of the settlers is all that we ask. The State should keep its watchful eye on this as well as other projects, help the settlers, and see that the Government does not lose.

The SPEAKER pro tempore (Mr. LEHLBACH). The time of the gentleman has expired.

Mr. MURPHY. Mr. Speaker, I yield five minutes to the gentleman from Oklahoma [Mr. CARTER].

Mr. CARTER. Mr. Speaker and gentlemen of the House, your conferees have had a long, hard, nerve-wrecking conference over this bill. This bill carries the bulk of appropriations for all constructive work in the United States. Every State west of the Mississippi, and a great many east of the Mississippi are directly interested, because the bill carries some appropriation for constructive work in such States. Therefore, the difference between the conferees on the bill is always aggressive and sometimes almost acrid. As the bill passed the House it carried appropriations for $237,000,000 plus. It went to the Senate and they added some two or three million dollars.

In our conference we worked to eliminate these additional amounts because we thought that the House had carried a sufficient amount. We finally reached an agreement on everything except eight amendments. Two of these were amendments correcting the totals, and the others as follows: An amendment, No. 27, Spanish Springs irrigation project; another, the Vale project; still another, No. 34, the Kittitas project; amendment No. 37, increasing the salary of the irrigation commissioner; No. 43, an appropropriation of $90,000 for the development of oil shale; and No. 50, the appropriation for Howard University. As one of your managers I agreed that all these amendments should be returned to the House with a motion to concur with an amendment except the Howard University item.

We have now before us the Spanish Springs proposition. The Senate placed an amendment in the bill appropriating $500,000 for the Spanish Springs. We could not reach an agreement, but the chairman of the House managers proposes to agree to that amendment with an amendment inserting certain language protecting the United States such as is carried in these other new irrigation projects.

Let us see what that language is. The language requires first the payment of operation and maintenance charges in advance. But the first year's charges for operation and maintenance are remitted, so in effect it can hardly be considered a payment in advance and consequently works no additional hardship on the settlers.

The next is the regulation of the sale of privately owned land. When the Government starts to develop one of these irrigation projects it ordinarily finds some person has purchased land on the project, so that all the land is not Government owned. That land must be developed and taken care of along with the Government land. I think the Government has a right, I think it is the duty of the Government, to prevent speculators from practicing extortion on the settlers who purchase this privately owned land, and that is what this requirement does. Third, there is the requirement for State cooperation in financing.

We have State cooperation in financing on the State projects and on most of the private projects. Is there any reason why the Government should be called upon to spend its money on any different basis from that by which it is spent by the State or by the individual? That is what that amendment does. Then we have a requirement for an irrigation district in order that the Government may deal with a responsible agency rather than being called upon to deal with the individual here, there, and yonder. It is the same principle exactly that is applied by the Federal farm loan act, a requirement that an organization be dealt with when you are furnishing money or the equivalent of money, rather than dealing with the individual. It is a measure of safety to the Government, it does not hurt the individual and it ought to be adopted.

Mr. RICHARDS. I wish the gentleman would discuss that feature of the amendment that refers to the alienation of property rights.

Mr. CARTER. I think the gentleman from Michigan [Mr. CRAMTON] covered that fully, and I have no time for repetition.

Mr. RAKER. Mr. Speaker, my distinguished friend from Nevada [Mr. RICHARDS] this morning voted to bring out of the Committee on Irrigation and Arid Lands a bill prohibiting alienation.

Mr. RICHARDS. The gentleman from California knows the conditions under which that action was forced. I hope he will explain it to the House.

Mr. CARTER. I am very glad to have that information. I come from the West, gentlemen, and I have seen a State developed from its virginity almost until it now contains nearly 3,000,000 people. I know the problems of the West. I have visited almost every irrigation project in the country. I know the many things that harass and worry us in the West, but we must not be unreasonable.

Mr. HUDSPETH. And if we continue these reclamation propositions, and get this money from the reclamation fund, we have got to give some guaranty that it is going to be paid back.

Mr. CARTER. My friend has anticipated what I was about to say. All of you gentlemen have my sympathy, because while we have no irrigation in Oklahoma, we have been through practically the same problems that you are going through. We usually found a response to our reasonable requests, but whenever we indulged unreasonable requests we invariably found that it bred a fight on reasonable things. So let us be reasonable about this thing. I asked the question to-day, "What is the source of this irrigation fund which we so often refer to; where does the money come from which goes to make up this much-discussed irrigation fund?" It is the proceeds of the sales of public land, royalties on public lands, and so forth, not only from reclamation States, not only from States developing irrigation, but from Oklahoma, Michigan, Arkansas, Missouri, and every other State in the Union except Texas, many of them not receiving one cent, many deriving no benefit whatever from the sales of lands within their borders. Now, is it unreasonable that we who live in those States contributing largely to this irrigation fund and receiving no benefits therefrom should request and require that some safeguards be thrown about the expenditure of these funds?

Let me warn my friends and neighbors that the irrigation States are in the minority here when it comes to representation and are therefore in no position to make unreasonable demands. Since other States are contributing liberally to our development and upbuilding it does not augur for our welfare to make unreasonable demands. It is not fair to assume that those who contribute to this fund have no rights in the premises. They have a right as a protection to the people of the country and to the Treasury of the United States to demand and require restrictions making for fair administration of all these matters and which will require a return of the money to the Federal Government. [Applause.]

Mr. CRAMTON. Mr. Speaker, I shall take only a minute or two. The gentleman from Oklahoma [Mr. CARTER] has very ably stated the situation, and while on my feet I want to say this to the House that in my work on this bill during the past four years at those times when I have doubted my own judgment I have always felt that I could trust the judgment of my colleague, the gentleman from Oklahoma. My four years' service with him on this bill has been a matter of complete delight, because of his splendid judgment and his very fine spirit of cooperation.

I call to the attention of the committee now only certain features about this pending amendment that are special to the project, and that I think are necessary for this project and in justice to its people. In the first place, the private land here is owned by the Southern Pacific Co., generally known as the Southern Pacific Railroad Co., and we want to provide a limit for which that land can be sold, for the protection of the settlers. It has been suggested that the Government should buy it in order to protect the settler. I do not know why the Government should buy this land of the railroad company. Let them market it to settlers and help in its development. Then we provide that the water rights of the present water users below the Lahontan Reservoir on the Truckee-Carson project are to be protected in their priority to the rights of those coming in under this new project.

Mr. RICHARDS. The gentleman knows that is existing law now.

Mr. CRAMTON. But the people on the project, as they have manifested by telegrams of protest to me, do not seem to know it, and I want to make sure and make those people sure by putting it in here.

Mr. RICHARDS. Since the protest that the gentleman has received by telegram, the Secretary of the Interior has guaranteed that that is the proposition.

Mr. CRAMTON. That is a good thing, and we will back him up on it.

Mr. CARTER. Why object to this being repeated in order to satisfy those settlers, if it is all right?

Mr. RICHARDS. Because there are certain other features in the amendment that we think is new legislation, and we have got to take it as a whole.

Mr. CRAMTON. Further, that the people below Lahontan Reservoir shall not be called upon to pay any share of the cost of this new project. We are told what the present intention is, but we want it sure that those people down there, who have more burdens now than they can carry, shall not have others added to them unjustly. Next, we provide that the net revenues from the power plant shall be devoted to retiring the construction costs instead of being diverted to operation and maintenance of the project as is now the case somewhat on that and other projects.

These are directly related to this particular project and are of importance. The others I have already spoken upon. I move the previous question, Mr. Speaker, upon the pending amendment and all amendments thereto.

The previous question was ordered.

The SPEAKER pro tempore (Mr. LEHLBACH). The question recurs on the motion of the gentleman from Michigan to recede and concur in the Senate amendment with an amendment.

The question was taken, and the Speaker pro tempore announced the ayes seemed to have it.

On a division (demanded by Mr. RICHARDS) there were—ayes 68, noes 34.

Mr. RICHARDS. Mr. Speaker, I object to the vote on the ground of no quorum. I withdraw the objection.

So the amendment was agreed to.

The SPEAKER pro tempore. The Clerk will report the next amendment.

The Clerk read as follows:

Page 76 of the bill, after line 17, insert: "Vale project, Oregon: For continued investigations, purchase of storage not exceeding $200,000, commencement of construction, and incidental operations, $500,000."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur in the Senate amendment with the following amendment which I offer as a substitute.

The SPEAKER pro tempore. The Clerk will report the amendment.

The Clerk read as follows:

Mr. CRAMTON moves to recede and concur with an amendment as follows:

In lieu of the matter inserted by the Senate, substitute the following:

"Vale project, Oregon: For continued investigations, commencement of construction, and incidental operations, $500,000: *Provided*, That no part of this appropriation shall be used for construction purposes on the Vale project until a contract or contracts in form approved by the Secretary of the Interior shall have been made with an irrigation district or with irrigation districts organized under State law providing for payment by the district or districts as hereinafter provided: *Provided further*, That no part of the sum provided for herein shall be expended for construction on account of any lands in private ownership until an appropriate repayment contract in accordance with the terms of this act and in form approved by the Secretary of the Interior shall have been properly executed by a district organized under State law, embracing the lands in public or private ownership irrigable under the project, and the execution thereof shall have been confirmed by a decree of a court of competent jurisdiction, which contract, among other things, shall provide for an appraisal approved by the Secretary of the Interior, showing the present actual bona fide value of all such irrigable lands fixed without reference to the proposed construction, and shall provide that until one-half the construction charges against said lands shall have been fully paid no sale of any such lands shall be valid unless and until the purchase price involved in such sale is approved by the Secretary of the Interior, and shall also provide that upon proof of fraudulent representation as to the true consideration involved in any such sale the Secretary of the Interior is authorized to cancel the water right attaching to the land involved in such fraudulent sale; and all public lands irrigable under the project shall be entered subject to the conditions of this section, which shall be applied thereto: *Provided further*, That no water shall be delivered to irrigators on this project until a contract or contracts shall have been executed between the United States and the State of Oregon whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 160 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior: *Provided further*, That the operation and maintenance charges on account of land in this project shall be paid annually in advance not later than March 1, no charge being made for operation and maintenance for the first year after said public notice. It shall be the duty of the Secretary of the Interior to give such public notice when water is actually available for such lands: *Provided further*, That not more than $200,000 of the amount herein appropriated shall be available for purchase of an interest in the existing storage reservoir of the Warm Springs project, said interest to be conveyed to the United States free of all prior liens and encumbrances of every kind whatever: *Provided further*, That the contract for the purchase of said interest in said reservoir shall also provide for construction of the necessary drainage works by the said Warm Springs and Vale projects and the proportion of cost of said works to be borne by each."

Mr. CRAMTON. Mr. Speaker, in connection with this amendment I simply want to call attention to the provisions which are peculiar to this project and which are necessary. Your committee felt it their duty to go into each project and see that its peculiar situation should receive proper attention. Now, this project proposes to buy an interest in an existing reservoir belonging to a private project that is having some financial difficulties, and there is to be a construction of drainage to protect both projects. We have suggested here, and I think the gentleman from Oregon [Mr. SINNOTT] does not object to, so far as these features are concerned, that the reservoir must be free from lien when we put up $200,000, and further that the contract that is made shall make definite the division of expense for drainage, and so forth.

I yield to the gentleman from Oregon [Mr. SINNOTT] five minutes that he may offer an amendment and speak upon it.

Mr. SINNOTT. Mr. Speaker, I desire to offer an amendment.

The SPEAKER pro tempore. The gentleman from Oregon offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SINNOTT: Strike out the following language: "*Provided further*, That no water shall be delivered to irrigators on this project until a contract or contracts shall have been executed between the United States and the State of Oregon whereby the State shall assume the duty and responsibility of promoting the development and settlement of the project after completion, including the subdivision of lands held in private ownership by any individual in excess of 150 irrigable acres, the securing, selection, and financing of settlers to enable the purchase of the required livestock, equipment, and supplies, and the improvement of the lands to render them habitable and productive. The State shall provide the funds necessary for this purpose and shall conduct operations in a manner satisfactory to the Secretary of the Interior."

Mr. CRAMTON. I yield the gentleman five minutes.

Mr. SINNOTT. Can the gentleman make it 10 minutes?

Mr. CRAMTON. I hope the gentleman can keep within the 10 minutes, in view of the lateness of the hour.

Mr. SINNOTT. Mr. Chairman and gentlemen, to a part of the amendment offered by the gentleman from Michigan I have no objection, although I think it is unnecessary to put it upon this bill, for every provision and every exaction covered by the language of his amendment, except the provisions involving the State of Oregon, can be made a matter of contract between the Secretary of the Interior, the landowners, and the irrigation district and frequently are exacted on a number of these projects. I have no objection to that. But what I do take exception to is the language compelling the State of Oregon to do things which I doubt it can do under its constitution, and which, if the constitution permitted the State to do, the geographical and climatic divisions of the State might possibly embarrass or prevent, and therefore render this appropriation nugatory, worthless, and unworkable. My district is comprised of an area of about two-thirds of the State, but in population it only comprises about one-fifth of the State. Eastern Oregon and western Oregon are more different, one from the other than any 1,000 or 2,000 miles of territory in the United States. My district east of the mountains is an arid and semiarid belt. Immediately west of the mountains you have a great humid section. For instance, there is a change in the rainfall. In 40 miles from my town the rainfall changes from 14 inches to 90 inches. The people west of the mountains, where four-fifths of the people reside, many of them have very little interest in or knowledge of irrigation and might possibly balk at passing a law or a constitutional amendment to harmonize our laws with the provisions in the amendment of the gentleman from Michigan compelling the State to finance the farmers on this project.

That is one objection. Furthermore, Mr. Speaker, I think the gentleman's amendment is absolutely unnecessary. This amendment, which he drafted and which was attached to other projects, was drafted before the fact finding bill was passed. The

fact finding bill makes these restrictions and safeguards unnecessary. That bill—the fact finders' bill—was passed at the special instance of the President of the United States, he demanding it in two messages. That bill makes wholly unnecessary these restrictive provisions. Why? Because the Secretary of the Interior has it absolutely in his power to demand from any prospective settler or applicant a showing both of experience and of character; and what I want to call to your special attention is that the fact finding bill authorizes the Secretary to require from the applicant a showing of capital which in his opinion will insure the success of the prospective settler.

The SPEAKER pro tempore. The time of the gentleman from Oregon has expired.

Mr. SINNOTT. May I have five minutes more?

Mr. CRAMTON. I will give the gentleman three minutes more.

The SPEAKER pro tempore. The gentleman from Oregon is recognized for three additional minutes.

Mr. SINNOTT. Therefore, Mr. Speaker, it is absolutely unnecessary to compel the State to get into this matter of financing the settler. The Secretary of the Interior himself has it within his power to demand of John Doe or Richard Roe when he applies for this land, "You have to make a showing that you have sufficient capital to see you through this operation." Therefore it is wholly unnecessary to drag the State into this proposition and endeavor to compel the State to do things which it may not constitutionally do.

How can a State constitutionally compel you, you having 160 acres of land, that you must sell this land in a certain way or that you must divide it in a certain way? The Secretary of the Interior can enter into a contract with the landowner to the effect that he can get water only under those conditions. But no State can tell me and force me to divide my land in this way or that way.

Mr. LOZIER. Mr. Speaker, will the gentleman yield?

Mr. SINNOTT. I regret I can not. I have only three minutes.

That is the reason why I object to attaching here a nugatory provision, a provision that will make our appropriation in its ultimate application nugatory and unworkable.

Mr. RAKER. Mr. Speaker, will the gentleman yield there for a question?

Mr. SINNOTT. Yes; I yield to the gentleman from California.

Mr. RAKER. Speaking of the Secretary having the power to require that this man shall make a showing to the effect that he is a financial success, would you favor a proposition appropriating money out of the reclamation fund to loan to this man for the purpose of proceeding on the project?

Mr. SINNOTT. Oh, that is a different matter. I do not care where they get the money. But I do not want to see written into this proposition an unworkable feature.

Let me show you another situation that it will bring about between the State of Oregon and the surrounding States. The State of Oregon has contributed to the reclamation fund $12,000,000. There has been expended in that State something over $6,000,000. The State of Washington has contributed $7,000,000. There has been expended in that State $14,000,000. The State of Idaho has contributed $6,000,000. There has been expended in that State $23,000,000. We are several million dollars short of what we contributed to that fund. We are $5,000,000 behind one State, $7,000,000 behind another, and $17,000,000 behind another State; and yet you are going to say to the State of Oregon, which is $17,000,000 behind an equal share in comparison with another State, that that State must put up these funds.

Mr. CARTER. Mr. Speaker, will the gentleman yield for a question?

Mr. SINNOTT. Yes; I will yield to a question about your own State.

Mr. CARTER. Tell us how much the State of Oklahoma has contributed.

Mr. SINNOTT. The State of Oklahoma has made some liberal contributions; but the State of Oklahoma, according to the Secretary of the Interior and the Reclamation Service, has never made a showing of available lands for irrigation. That is the reason why your State is behind. We have the irrigable lands.

The SPEAKER pro tempore. The time of the gentleman from Oregon has again expired.

Mr. SINNOTT. Will the gentleman just yield me two minutes more?

Mr. CRAMTON. I do not want to be discourteous to the gentleman, but there is a great deal of legislation to be enacted.

Mr. SINNOTT. There is one matter I had forgotten.

Mr. CRAMTON. I yield to the gentleman two minutes.

Mr. SINNOTT. Now, this Vale project is the first project that was estimated for after this new fact finding law was passed. This fact finding law required the Secretary of the Interior to make a finding to the effect that the particular project was feasible. The Secretary of the Interior made that finding, and transmitted it to the Budget board, and that was approved by the Budget board, and the President sent a special message approving the Budget board's finding and the finding of the Secretary of the Interior was that this is a feasible project and that it will return the cost of the investment to the United States Government.

For these reasons I think it is wholly unnecessary to force a State, a large part of which may be unfriendly to this proposition, to become involved as it is forced to by this amendment. [Applause.]

Mr. CRAMTON. Mr. Speaker, beyond reminding the House of the fact that this amendment is so framed that it would be three or four or five years before there could come any embarrassment from this language should it prove too stringent—because it is not until this project is completed and the water is ready to turn on that it would become effective—I want to say merely that the State of Oregon has the necessary time in which to pass the legislation necessary to comply, and the Congress has time to pass any general legislation that might be necessary.

Mr. SINNOTT. Your proposition is that the deleterious dose may not take effect for three years, and in the meantime we may get ready for it. [Laughter.]

Mr. CRAMTON. Or you can change doctors.

I want to remind the gentleman from Oregon that under the law of Oregon, passed in 1919, with reference to private districts, where the money is put up by private individuals or privately controlled districts, in that case the State of Oregon guarantees the payment of the interest on the bonds of private irrigation districts, but if the Federal Government puts up the money there is not any interest at all, and they do not want even to finance the settlers.

The State of Oregon is a great State and prosperous, and it can easily cooperate in the way suggested. Mr. Speaker, I move the previous question on the pending amendment and all amendments thereto.

The SPEAKER. The gentleman from Michigan moves the previous question on the pending amendment and all amendments thereto.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the amendment offered by the gentleman from Oregon.

The question was taken; and on a division (demanded by Mr. SINNOTT) there were—ayes 43, noes 51.

So the amendment was rejected.

The SPEAKER. The question is now on the motion of the gentleman from Michigan to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 34, page 81 of the bill, after line 11, insert: "*Provided*, That the unexpended balance, if any, remaining at the close of the fiscal year 1925 from the appropriation of $375,000 made by the act referred to as the 'second deficiency act, fiscal year 1924,' approved December 5, 1924 (Public, No. 292), for continued investigation, commencement of construction of the Kittitas unit, and incidental operations, Yakima project, Washington, is hereby reappropriated, to be available and to continue available for use during the fiscal year 1926."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Michigan moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read, as follows:

Mr. CRAMTON moves that the House recede from its disagreement to the amendment of the Senate No. 34 and concur in the same with an amendment, as follows: In lieu of the matter inserted by said amendment insert the following:

"The unexpended balance, if any, remaining at the close of the fiscal year 1925 from the appropriation of $375,000 made by the act referred to as the 'second deficiency act, fiscal year 1924,' approved

December 5, 1924 (Public, No. 292), for continued investigaton, commencement of construction of the Kittitas unit, and incidental operations, Yakima project, Washington, is hereby reappropriated, to be available and to continue available for use during the fiscal year 1926, subject to the conditions hereinbefore set forth in connection with the appropriation for said unit."

Mr. SUMMERS of Washington. Mr. Speaker, I offer an amendment.

The SPEAKER. The gentleman from Washington offers an amendment, which the Clerk will report.

The Clerk read as follows:

Amendment offered by Mr. SUMMERS of Washington to the amendment offered by Mr. CRAMTON: Strike out "subject to the conditions hereinbefore set forth in connection with the appropriation for said unit," and insert in lieu thereof the following: "Subject to the conditions set forth by the second deficiency act of 1924."

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentleman from Washington [Mr. SUMMERS].

Mr. SUMMERS of Washington. Mr. Speaker and gentlemen, it is late in the afternoon of a tiresome, restless day. The chairman controls the time. I can secure but five minutes to present a subject that requires two hours. You have heard the statement of the chairman of this subcommittee with regard to the condition of the whole reclamation program and the reclamation fund. I beg of you to give me your attention for the five minutes I may speak.

In the first place, where does the reclamation fund come from? When the first law was enacted in 1902 it provided no fund except that which came into the Treasury from the sale of public lands during the preceding year, and that the reclamation fund so established should be increased from year to year by the funds that come from the sale of public lands. You may say, "Even at that, it should not be expended in those States from whence it comes." Now, let us try to look at this thing in a comprehensive, national way and not in a narrow, sectional way.

Away back yonder, in early times, the older States had the advantage of whatever came from their public lands. In 1836 there had accumulated in the Federal Treasury $38,000,000, as I understand it largely from the sale of public lands. What was done with it? It was divided out according to the population of the States then in the Union. One State got $1,000,000, another State got $2,000,000, another State got $3,000,000, another State got $500,000, and so on. So all of the 26 Eastern States got that division out of the Public Treasury, with the understanding that it was to be repaid whenever called for. Almost 100 years have gone by and no interest has ever been paid and none of the principal has ever been paid. Now, we would like to have equitable treatment. We do not want you to give us anything at all; we are not seeking alms, but we do want the provisions of the reclamation law carried out.

The chairman said that large sums had been invested in reclamation and the impression was given that nothing was ever repaid. I called up the Reclamation Bureau within the last few minutes and find that from the Yakima project, in my State, concerning which we are talking just now, there has been repaid on all accounts a total of $6,898,314.29, and that from all of the reclamation projects there has been repaid on all accounts $55,231,623.18. Some have fallen behind since agriculture went on the rocks four years ago, but I want you to know that reclamation in the State of Washington is a success. My farmers are honest and honorable and are repaying.

Mr. MOORE of Virginia. How much remains unpaid?

Mr. SUMMERS of Washington. There has been a large sum expended, but it is not due, I will say to the gentleman from Virginia, any more than if you had given me your note due 10 years from now, and then I should come along and say, "Your note is not paid; I hold your note and it is a bad debt because you have not paid a note that has not fallen due." That is the situation.

Now, the farmers have had a hard time, a very hard time, in the last three or four years, and they are a little behind in their repayments; but they have made these payments that I have mentioned, payments which amount to more than $55,000,000. That is the sum they have repaid up to this very hour.

Something was said about the amount that may possibly be charged off. I am not expressing an opinion at this time whether it should or should not be charged off.

But this is the situation: Suppose I made a contract to build a house for you for $10,000 and then when the house was completed it had cost $15,000. Do you feel that you would be absolutely obligated to pay $15,000? I understand that is the situation in regard to many of these projects.

Mr. RAKER. Will the gentleman yield?

Mr. SUMMERS of Washington. I am sorry. I only have five minutes. I would like to yield to the gentleman, but I can not.

There was a contract made on every one of these projects and the contract was made on the assumption that the project was going to be built for a certain amount, and when they finished the project, in some way or other, by dilatory tactics on the part of Congress or because Congress did not appropriate the money and push the work as it should, allowing the overhead to accumulate, and by experimental engineering many of the projects cost very much more than had been estimated in the beginning, and in some cases so much more that it seems wholly unjust to the settlers that they should repay it.

In this particular item the gentleman is imposing conditions which he himself says the Federal Government should not comply with. I say that the States can not comply with them, but I do want the Federal Government and the reclamation funds protected in every way. My amendment pertains to an appropriation made in the deficiency bill, and I want any unexpended balance reappropriated under the same conditions it was appropriated under in the beginning.

The Yakima project is the best in the United States. The Kittitas Valley is beautiful and productive. It is already supplied with railroads, highways, schools, churches, and largely with settlers, and yet the chairman has attached to this appropriation restrictions and limitations that are wholly unreasonable. I objected to them when this bill was before the House last December. I have pleaded with the chairman and his committee from that day till this hour. I have asked him to protect the Government in any reasonable and proper manner, but not to put us in chains.

I appeal now to the high sense of justice of this House for a square deal for one of the best irrigation projects in the entire country. [Applause.]

Mr. CRAMTON. Mr. Speaker, I move the previous question on the amendment and all pending amendments.

The previous question was ordered.

The SPEAKER. The question is on the amendment offered by the gentleman from Washington.

The amendment was rejected.

The SPEAKER. The question is on the motion of the gentleman from Michigan [Mr. CRAMTON] to concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 37: Page 84, following line 22, insert: "That under the supervision and direction of the Secretary of the Interior the reclamation of arid lands, under the act of June 17, 1902, and acts amendatory thereof and supplementary thereto, shall be administered by a commissioner of reclamation, who shall be equipped for the duties of said office by practical experience in irrigation of arid lands and the agricultural development and utilization thereof, and who shall be appointed by the President, by and with the advice and consent of the Senate. The first commissioner appointed under the provisions of this paragraph shall receive a salary of $10,000 per annum."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur in the Senate amendment, and I yield five minutes to the gentleman from Texas [Mr. BLANTON].

Mr. BLANTON. Mr. Speaker, this is one of the most ridiculous propositions in a small way that another body has ever attempted to put over on the House of Representatives. This is an attempt to make a salary fit an individual. Mr. Elwood Mead emigrated to California from the State of Wyoming. He is a Wyoming man. He went from Wyoming to California.

Mr. WINTER. Will the gentleman yield for a question?

Mr. BLANTON. In a moment.

He was perfectly willing to leave his job in California and accept the position of Director of Reclamation, which is a bureau job. He is chief of that bureau.

Mr. RAKER. Will the gentleman yield for just one question?

Mr. BLANTON. In a moment.

Last year when we passed the classification act we raised the salary of every bureau chief in Washington $2,500 right off the bat. We raised the salary from $5,000 to $7,500 per annum, but because Mr. Elwood Mead is chief of this bureau, because he comes from Wyoming, which is a splendid State, ably represented by our splendid colleague, whom we all respect and

appreciate, but because Wyoming is represented somewhere else likewise by a very distinguished individual and that individual wants to take care of his own, he now wants to let the camel get his nose under the tent and raise the salary of this particular bureau chief another $2,500 and make it $10,000; and just as soon as you do that you open the way to raising the salary of every bureau chief in Washington another $2,500, and you ought not to do it.

Mr. JACOBSTEIN. Will the gentleman yield?

Mr. BLANTON. I am sorry I can not yield. I am afraid I will not get any more time and I want to lay this matter properly before the House.

Mr. WINTER. The gentleman wants to be correct in his statement, does he not?

Mr. BLANTON. Yes; and if I am not correct, I want my distinguished friend from Wyoming to correct me. I gladly yield for that purpose.

Mr. WINTER. I want to say I would be very proud, indeed, if Elwood Mead came from the State of Wyoming.

Mr. BLANTON. Did he not come from there?

Mr. WINTER. But as a matter of fact, and the gentleman ought to know it, he came from Colorado.

Mr. BLANTON. Does not Wyoming claim him?

Mr. WINTER. We would be glad to claim him.

Mr. BLANTON. Did he not once live in Wyoming?

Mr. WINTER. He certainly did, and I want to say to the gentleman——

Mr. BLANTON. Mr. Speaker, I do not yield any more. The gentleman has corrected me by admitting my statement, and I can not yield any further.

Mr. WINTER. Will the gentleman yield further?

Mr. BLANTON. Mr. Speaker, I am sorry I can not yield further.

He is from Wyoming and my friend has admitted it. The question now is whether you want to raise the salary of bureau chiefs in Washington from $5,000 to $7,500 and then raise them again to $10,000, because just as sure as you raise this salary to $10,000 you are going to have to raise the salary of every bureau chief in Washington to $10,000 next year.

Mr. HILL of Maryland. Will the gentleman yield?

Mr. BLANTON. I am sorry I can not yield. I know the gentleman from Maryland has been hearing from the good women in Baltimore and wants to square himself with them, but the gentleman can not do it in my time.

Mr. HILL of Maryland. Will the gentleman yield now?

Mr. BLANTON. No; I can not yield.

They are now putting something over on the gentleman from Michigan [Mr. CRAMTON] when he comes in here and moves to accept this Senate amendment to raise this salary to $10,000. This is not right. We have been sitting here supporting the gentleman from Michigan [Mr. CRAMTON], following him, we have been upholding his hand, we have been standing behind him, and now we want him to stand behind us. I want him to stand behind the Treasury and the tax-paying people of the United States. [Applause.]

Mr. CRAMTON. Mr. Speaker, it is my desire to be as accommodating as possible. Several gentlemen have asked for time on this particular amendment, and I feel that I must yield to them; but it is late, we are in the last days of the session, and out of consideration of others who have bills to be brought up I must decline to yield more than five minutes to any one Member, and I hope all gentlemen will bring their perorations within five minutes. I now yield five minutes to the gentleman from Tennessee [Mr. BYRNS].

Mr. BYRNS of Tennessee. Mr. Speaker, I want to add my earnest protest against the adoption of this amendment. Two years ago Congress passed the reclassification act. That act undertook to prescribe the methods by which the salaries of employees of this Government should be fixed in a fair and equitable manner without favoritism to anyone. The chief argument used in behalf of the passage of that act was that it would give the employees of the Government adequate salaries without favoring anyone at the expense of another. The Director of Reclamation formerly received $5,000, but under the reclassification act I am told that he is now getting $7,500. That is the maximum salary fixed by the classification act.

Now, by this amendment it is sought to change the title of the office and call it commissioner of reclamation instead of Director of Reclamation and to give him a salary of $10,000, which is $2,500 more than the Assistant Secretary of the Interior in that department draws. Gentlemen, it is not right for Congress now at this time to adopt a policy of playing favorites and picking out this officer and that officer and give him a promotion by changing the title of his office in order to avoid the express provisions of the act. The first thing you know we will be besieged by other officials who will have a right to come and say that they are entitled to the same raise of salary.

Mr. SMITH. Will the gentleman yield?

Mr. BYRNS of Tennessee. I can not yield. The Director of Reclamation—call him commissioner or director—is not entitled to any greater salary than the Director of the Bureau of Standards, in the Department of Commerce. Is he entitled to any more salary than a number of other officials that I might name in the various departments of the Government? Why single him out? Why should we do so because some distinguished member of another body sees fit to stand in conference and say that this bill may fail unless you give this gentleman a second increase of $2,500? If this House yields and permits the reclassification act to be set aside and disregarded in this unusual manner to do a special favor for this official, while others of equal responsibility are required to draw their salaries under the reclassification act, it is doing a gross injustice.

It is a small sum, but I protest against the principle. It is not right, it is not fair, and if you adopt this proposition you will only bring trouble on yourselves, because you will be met in the next Congress by requests from numerous officials who are equally entitled to consideration for an increase in salary.

Gentlemen, we should not adopt this amendment. This House should stand by the reclassification act, claiming as we do that no favoritism should be practiced under it, we should not practice favoritism ourselves and make an exception in the case of this particular official. It is for that reason, and that reason alone, that I have arisen to protest against the adoption of this amendment. Why should we give him $10,000? As I said, the Assistant Secretary of the Interior Department only draws $7,500. The Director of the Bureau of Standards only draws $7,500. Many other officials of equal importance draw even less than that. What reason is there to pick this gentleman out and give him more than Members of Congress are now drawing for the services they render. I hope the motion will not prevail. [Applause.]

Mr. CRAMTON. Mr. Speaker, I yield three minutes to the gentleman from Texas [Mr. BLACK].

Mr. BLACK of Texas. Mr. Speaker and Members of the House, I am in entire agreement with the gentleman from Tennessee [Mr. BYRNS] that the House ought not to adopt the motion of the gentleman from Michigan to recede and concur in this Senate amendment. It is true that the amount of money involved is small, but if there is any one principle that we ought to try to follow in the House, whether we always do it or not, it is that well-known principle, "Equal rights to all and special privileges to none."

Now we have a reclassification act. It was passed in 1923, and the maximum salary provided in that act was $7,500. The Director of the Bureau of Reclamation has been promoted under that law from a salary of $5,000 to a salary of $7,500. Now, in another body, in order to get another increase in salary of $2,500 they have changed his title and say that hereafter we will call him Mr. Commissioner of Reclamation, and that by reason of our calling him Mr. Commissioner of Reclamation raise his salary $2,500 a year more. I have no doubt that the Director of the Bureau of Reclamation is a very high-class man. But there are other high-class men in the Government service. The Bureau of Standards, for example, is the greatest organization of its kind in the world, and yet the chief of that bureau gets only $7,500 a year. The Public Printer is at the head of the Government Printing Office, the largest printing establishment in the world, and if I recollect correctly he gets $6,000 a year. The Director of the Bureau of Engraving and Printing is at the head of a very large business enterprise of the Government, and if I recollect correctly he gets $6,000 a year. Yet if we allow the adoption of this Senate amendment the head of the Reclamation Service will get $10,000 a year. If we set this precedent all that one of the heads of bureaus of the Government would have to do in order to get another increase of salary is to go over to the Senate and get that body to adopt an amendment changing his title and increasing his salary, and presto! it will be done. I hope the House will put a veto on procedure of this kind and vote down this amendment.

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

Mr. STENGLE. Mr. Speaker, the gentleman from New York is not so anxious to make a speech as he is to file an earnest and sincere protest against this violation of the spirit, if not the letter, of the civil service law and the classification law, and at the same time to utter a word in behalf of hundreds of

employees in that same department who have been overlooked even under the classification and who are now patiently waiting in order to get a few crumbs from the table of the rich man, Uncle Sam. Are they in this year of our Lord to see another large portion handed out to one of the greatest recipients of salary raises in one year? It amounts to a doubling of his salary. These others go unaided and unhelped and in continual trouble. I do not appeal because it is a particular man, because I do not know him, but I appeal for a square deal for all people. You gentlemen know how I have cried out here for two years to give to those who are earnestly working for our Government that portion of our "distribution" that which rightfully belongs to them. I beg of you gentlemen on the Republican side and on the Democratic side to stop this chicanery until we, the representatives of the people, have squared the old account and done justice by every man and woman who is faithfully serving our country in the Government service here.

Mr. CRAMTON. Mr. Speaker, I yield three minutes to the gentleman from Maryland [Mr. HILL].

Mr. HILL of Maryland. Mr. Speaker and gentlemen of the House, I listened with a great deal of interest to the attack by the gentleman from Texas [Mr. BLANTON] on this amendment. The gentleman said that he was against this amendment because it is an attempt to pick out a certain individual and promote him and raise his salary. If the gentleman from Texas were sincere in that statement, I should be much interested in it and be guided by it, but in view of the fact that the gentleman from Texas came this morning and attempted to raise a lieutenant of police by a particular and specific description in a bill to be director of a new bureau, I can not see the sincerity of the gentleman's position at this time.

Mr. BLANTON. But the salary would be the same as it is now.

Mr. HILL of Maryland. I refuse to yield.

We heard what the gentleman said. We know what he tried to put over by unanimous consent——

Mr. BLANTON. But she is getting that same salary now.

Mr. HILL of Maryland. Mr. Speaker, I object to the gentleman's interrupting. I have the floor.

Although objecting to a Federal judge for Maryland bill which is urged by the Chief Justice and by the Department of Justice, and favorably reported by the Judiciary Committee, and which is just, here is what the gentleman comes in and tries to put over by unanimous consent, and——

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman is not discussing this conference report, that he is trying to discuss a bill that he killed this morning, and he can apologize about that later.

Mr. HILL of Maryland. Mr. Speaker, I am discussing the remarks of the gentleman on this conference report.

The SPEAKER. The gentleman from Maryland must discuss the conference report.

Mr. HILL of Maryland. The provision in the bill to which I referred is as follows:

except that (1) the lieutenant and sergeant in office at the time of the passage of this act shall become director and assistant director, respectively, of the Woman's Bureau, and—

Mr. BLANTON. Mr. Speaker, I make the point of order that the gentleman is attempting to discuss a woman's police bureau bill, which is not under consideration in the conference report.

The SPEAKER. The gentleman just started his remarks and the Chair can not tell what he is about to discuss.

Mr. HILL of Maryland. I am attempting to discuss the insincerity of the gentleman from Texas in opposing this pending Senate amendment, and I am citing that——

The SPEAKER. The Chair does not think that is before the House.

Mr. HILL of Maryland. Then if the Chair rules that that is understood, I have nothing more to say. [Laughter and applause.]

Mr. CRAMTON. Mr. Speaker, I yield one minute to the gentleman from Missouri [Mr. LOZIER].

Mr. LOZIER. Mr. Speaker, I regret that I can not foHow the counsel and advice of the chairman of this subcommittee, the gentleman from Michigan [Mr. CRAMTON]. I recognize that he is one of the most useful and efficient Members of this body and has rendered to the Congress and to the people a service which can hardly be overvalued. This is a proposition to single out one employee of the Government, take him out of the general class, remove him from the operation of the classification act, and by special favor and bounty of Congress increase his salary to $10,000 a year, which is double the salary that he was receiving but a short time ago, and which proposed salary is largely in excess of the salary of other bureau chiefs who are equally capable and deserving.

I think this amendment is unwise. It establishes a bad precedent and it will rise up at every session of the Congress to plague and confuse us. We know that increases in salary, like revolutions, never go backwards, but if this conference report is adopted, and the salary of the Commissioner of Irrigation is increased from $7,500 to $10,000, we will be confronted in the next session of this Congress by numerous propositions to increase the salaries of other bureau chiefs. It is bad policy to tack amendments on appropriation bills, increasing salaries of employees, officers, or Members of Congress.

The SPEAKER. The time of the gentleman has expired.

Mr. CRAMTON. I yield one minute to the gentleman from New Jersey [Mr. LEHLBACH].

Mr. LEHLBACH. Mr. Speaker, I just wish to observe to the House that there is absolutely no sense in having a law classifying the employees of the Government and fixing uniform salaries if by special legislation we are going to take an individual out of that classification [applause] and give him an increase or a salary out of line with those of like work, of like importance, and of like responsibility. If you pass this amendment you might as well scrap your classifying act. [Applause.]

Mr. CRAMTON. Mr. Speaker, I yield five minutes to the gentelman from Arkansas [Mr. WINGO].

Mr. WINGO. Mr. Speaker, the objections to this proposition are twofold. First is the proposition itself, and the next is the method by which it is sought to be forced on the House. If it were simply a question, Mr. Speaker, of recognizing a very deserving public official, if that were the only thing involved, I take it that all of us would be glad to give that small measure of recognition to this very fine and faithful public servant. But that is not the question, gentlemen. In the first place this is not the time to raise salaries of men of this type [laughter]—well, I can say that without embarrassment, because I took that position in reference to the increasing of our own salaries. I opposed it. I thought it was unwise and inopportune, and I think many of you will agree with me before long. What I have in mind is this, gentlemen: It is admitted that there are a large number of very able public servants in the classified service, and in grades that are lower than this type of grade, whose pressing problem of living demands the first consideration of the Congress when you come to revise your salary list. But, gentlemen, you can pick out a thousand men in the public service in Washington who are just as deserving as this man, and the same argument can be made in favor of increasing their salaries. [Applause.]

Now, gentlemen, do not be deceived; you gentlemen on the majority side who are responsible, do not be deceived. You know human nature. If you are going to grant this recognition to this man in the next Congress, how can you refuse to grant the same recognition to a large number of other men and give them a special recognition other than under the general classification that you make of these salaried officials. Now, what is the next objection? The next objection is this that I have protested against, and I want this House to set its face against, and that is the increasing tendency of the other body to have one of its Members take advantage of his position and say to the Senate and say to the conferees and say, yes, to the House of Representatives, "You agree to give me some little pet item I want or by the eternal gods you can not get any legislation." There is but one way to meet a holdup of that kind by men of courage and that is to "call his hand" and say, "You shall not have it." [Applause.] If this House cowardly surrenders to methods of that kind it but weakens its own power and influence and strengthens the power and influence, not only of another body but every individual Member of that body who sees fit to take advantage of a situation which confronts us now. Let us have the courage to say that we will stand on the proposition and say when it comes to raising salaries of these men we will do it as a class and not pick out each individual separately, but we will do it in an orderly way, and we will not do it on the demand of one Senator or on an appropriation bill. [Applause.]

Mr. CRAMTON. Mr. Speaker, I yield two minutes to the gentleman from Oregon [Mr. SINNOTT].

The SPEAKER. The gentleman from Oregon is recognized for two minutes.

Mr. SINNOTT. Mr. Speaker, I have not agreed to all of the motions made by the gentleman from Michigan [Mr. CRAMTON] in regard to this conference report, but I am certainly in accord with him on the motion regarding this amendment.

I have known Doctor Mead a great many years. He is one of the foremost experts on irrigation, not only in the United States but in the entire world. He has been employed by many foreign countries. I know that he did not seek this position, that pays only $7,500 a year. He was practically drafted from the University of California, where at that time he was getting a salary of $11,000, and which salary now awaits him. If any laborer was ever worthy of his hire, Doctor Mead is worthy of this $10,000. He has taken hold of the reclamation dilemma that we have found ourselves in within the last year. He is trying to bring order out of chaos. I doubt very much if we can obtain his services for another six months or another year—and we need his services—I doubt if we can obtain those services which are so badly needed unless he is given this salary, every dollar of which he is entitled to.

I speak to you gentlemen on behalf of the reclamation States—the reclamation States that are putting up this money. This money does not come from the general funds of the Treasury. It comes from the reclamation fund, and I think I can say on behalf of the Members from the reclamation States that this motion should carry. [Applause and cries of "Vote!"]

Mr. CRAMTON. Mr. Speaker, I simply want to take a moment to make a perfectly frank statement in regard to this item. I think it is perfectly proper for me to say that in conference the House conferees urged many of the considerations that have been urged here by those who oppose this amendment. The suggestion was impressed upon us, however—the suggestion that has just been made so forcibly by the gentleman from Oregon [Mr. SINNOTT]—that the water users in the reclamation States were in favor of this action being taken, and the salary is paid from the reclamation fund. The salary of this gentleman is now $7,500 a year. My best information is that before he was taken into the Government service he was receiving $11,000 a year and came into the Government service because it was urged that here was an opportunity to perform a real service.

I am advised by those of the Senate conferees who have urged this amendment that without this increase he can not be retained. However correct or incorrect that may be, I am one who hopes that nothing will occur to further disorganize the Reclamation Service. There have been enough changes; it is time that that service should be permitted to get organized and settled down. There are millions of dollars involved in the proper administration of the Reclamation Service and the welfare of many communities in many States. Your conferees on this bill stood out on this item because we realized the point of view that some might take. But in order to get a conference report and feeling the force of the argument presented in behalf of it, we agreed to come in here and recommend its adoption.

I believe that sometimes consistency ceases to be a jewel. I think that the real test ought to be whether this man is worth what it is proposed to pay him; and from my contact with Doctor Mead, which has been very close in our work on these matters for the past year, I feel that Doctor Mead is well worth the amount that is here proposed to be paid to him. And inasmuch as the people who are to pay the money, the water users, are agreeable to it, so far as those who have spoken for them have made it evident, I think we are well warranted in accepting the action of the Senate.

Mr. BLANTON. Mr. Speaker, will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BLANTON. Suppose Doctor Mead should die to-morrow.

Mr. CRAMTON. That would be very regrettable.

Mr. BLANTON. You would have a $10,000 position here that you would have to meet with respect to every other official of a similar grade.

Mr. CRAMTON. If Doctor Mead dies to-morrow, the salary goes back to $7,500. It applies only to the present incumbent. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion to recede and concur.

The question was taken; and on a division (demanded by Mr. CRAMTON) there were—ayes 51, noes 82.

So the motion was rejected.

Mr. BLANTON. Mr. Speaker, does that mean that the House further insists on its disagreement?

The SPEAKER. That is equivalent to disagreeing. The Clerk will read the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 38, page 85, line 9, strike out "$8,943,000" and insert "$10,099,000."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur with an amendment, which I send to the Clerk's desk. This is simply to correct a total.

The SPEAKER. The gentleman from Michigan moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CRAMTON moves that the House recede from its disagreement to the amendment of the Senate No. 38, and agree to the same with an amendment, as follows: In lieu of the sum inserted by said amendment, insert the following: "$9,999,000."

The SPEAKER. The question is on agreeing to the motion to recede and concur with an amendment.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

Mr. CRAMTON. Mr. Speaker, I ask unanimous consent that amendment No. 43 and amendment No. 44 be considered together, as they relate to the same subject.

The SPEAKER. The gentleman from Michigan asks unanimous consent that amendment No. 43 and amendment No. 44 be considered together. Is there objection?

There was no objection.

The SPEAKER. The Clerk will report the amendments.

The Clerk read as follows:

Amendment No. 43: On page 92, after line 15, insert: "For development of oil shale, including construction of necessary plant; purchase, lease, or condemnation of necessary land for erection of plant; purchase or mining of shale, operation of plant, and for all necessary expenses incident thereto, including clerical and technical assistance in the District of Columbia or elsewhere, to be immediately available, $90,000."

Amendment No. 44: On page 96, strike out, in line 6, "$1,881,560" and insert "$1,971,560."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur in the Senate amendments.

The motion was agreed to.

The SPEAKER. The Clerk will report the next amendment in disagreement.

The Clerk read as follows:

Amendment No. 50: Page 114, after line 18, insert:

"HOWARD UNIVERSITY

"For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice, and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than $2,200 shall be used for normal instruction, $125,000;

"For tools, material, salaries of instructors, and other necessary expenses of the department of manual arts, of which amount not to exceed $21,800 may be expended for personal services in the District of Columbia, $34,000;

"Medical department: For part cost needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, $9,000;

"For material and apparatus for chemical, physical, biological, and natural history studies and use in laboratories of the science hall, including cases and shelving, $5,000;

"For books, shelving, furniture, and fixtures for the libraries, $3,000;

"For improvement of grounds and repairs of buildings, $30,000;

"Fuel and light: For part payment for fuel and light, Freedmen's Hospital and Howard University, $15,000;

"Total, Howard University, $221,000."

Mr. CRAMTON. Mr. Speaker, I move to recede and concur with an amendment, which I send to the Clerk's desk.

The SPEAKER. The gentleman from Michigan moves to recede and concur with an amendment, which the Clerk will report.

The Clerk read as follows:

Mr. CRAMTON moves to recede and concur in Senate Amendment No. 50 with an amendment as follows: In lieu of the Senate amendment insert the following:

"HOWARD UNIVERSITY

"For maintenance, to be used in payment of part of the salaries of the officers, professors, teachers, and other regular employees of the university, ice, and stationery, the balance of which shall be paid from donations and other sources, of which sum not less than $2,200 shall be used for normal instruction, $125,000;

"For tools, material, salaries of instructors, and other necessary expenses of the department of manual arts, of which amount not to exceed $21,800 may be expended for personal services in the District of Columbia, $34,000;

"Medical department: For part cost needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, $9,000;

"For the construction of a building for the medical department, $370,000: *Provided*, That no part of the sum hereby appropriated shall be available until there is filed with the Secretary of the Interior a guaranty by the trustees of the university that a suitable equipment for such building will be provided at a cost of not less than $130,000 by subscription of alumni and other friends of the university.

"For material and apparatus for chemical, physical, biological, and natural history studies and use in laboratories of the science hall, including cases and shelving, $5,000;

"For books, shelving, furniture, and fixtures for the libraries, $3,000;

"For improvement of grounds and repairs of buildings, $30,000;

"Fuel and light: For part payment for fuel and light, Freedmen's Hospital and Howard University, $15,000;

"Total, Howard University, $591,000."

Mr. CRAMTON. Mr. Speaker, upon that amendment I move the previous question.

Mr. BYRNES of South Carolina. Mr. Speaker, I make a point of order against the amendment offered by the gentleman from Michigan on the ground, first, that it is legislation on an appropriation bill; second, that that part of the amendment providing for the construction of a medical school is not an issue between the two Houses, is not germane to the Senate amendment to this bill, and that it has never been in conference.

Mr. CRAMTON. Mr. Speaker, as the bill left the House there was nothing in the bill with reference to Howard University; as it left the Senate there was a general appropriation for the maintenance and improvement of Howard University covering a variety of items, the payment of salaries, the purchase of tools and materials, the purchase of books and furniture, improvements to grounds, and repairs of buildings, and so forth. There was particularly with reference to Howard University the following item as it went to conference:

Medical department: For part cost needed equipment, laboratory supplies, apparatus, and repair of laboratories and buildings, $9,000.

The amendment is germane to the language inserted by the Senate. It is true it increases the sum, but the holdings are uniform that under these circumstances it is germane and is permissible. There are several precedents so holding.

The SPEAKER. The Chair is ready to rule, unless the gentleman from South Carolina wants to be heard.

Mr. BYRNES of South Carolina. Mr. Speaker, I simply want to call the attention of the Chair to the fact that the appropriations added by the Senate provided for the operation of Howard University and did not provide for the construction of any building at all for Howard University. The amendment now offered by the gentleman from Michigan [Mr. CRAMTON] seeks to provide a fund for the construction of a building not authorized by law and not germane to any provision in the amendment offered by the Senate to this bill. There is nothing in the bill as it passed the Senate providing for the construction of any building at Howard University. This seeks to authorize the construction of a building when it certainly is not germane to anything in the bill.

The SPEAKER. It seems to the Chair that the first point of order made by the gentleman from South Carolina that this is legislation is, of course, true, but this is all legislation, and it has been put on by the Senate, and it seems to the Chair that makes anything germane to it in order. If there was only one item, the Chair might hold that it was not germane, but here are appropriations for a dozen different items, some of them for buildings or for repairs to the Howard University. The Chair thinks that would make this in order, and the Chair overrules the point of order.

Mr. BYRNES of South Carolina. If the Chair will permit, there is no construction authorized by any of the provisions added by the Senate.

The SPEAKER. There is something about repairs in the bill.

Mr. CRAMTON. Repairs to buildings are authorized, and of course, very easily that might mean new construction added to existing buildings. There are numerous precedents upholding the decision of the Chair.

The SPEAKER. The Chair overrules the point of order.

Mr. CRAMTON. Mr. Speaker, I will not take up the time of the House in debating this amendment. I move the previous question.

Mr. BYRNES of South Carolina. I will ask the gentleman from Michigan to yield me five minutes.

Mr. CRAMTON. I will say frankly to the gentleman, I understand there is to be a meeting of importance in this Chamber at 5 o'clock, and I was trying to get out of the way because I might not be welcome.

Mr. BANKHEAD. That meeting is at 7.30.

Mr. CRAMTON. Then I have been misinformed.

Mr. BYRNES of South Carolina. I may say that the gentleman has offered an amendment which has not been considered on the floor of the House at all.

Mr. CRAMTON. I yield five minutes to the gentleman from South Carolina.

Mr. BYRNES of South Carolina. Mr. Speaker and gentlemen of the House, it was not my purpose to make any objection to the motion of the gentleman from Michigan to concur in the amendment added to the bill by the Senate, but the gentleman from Michigan has seen fit to add to the appropriations provided by the Senate a provision for the construction of a building.

The Members of this House know that there is no legislation authorizing the appropriation of a dollar for this institution. I have contended for the last two years that the Congress owes it to itself to pass legislation authorizing these appropriations or else to cease making appropriations for a purpose not authorized by law.

The Bureau of the Budget did not even submit an estimate for the construction of this medical building. You have time and again during this session endeavored to secure consideration of appropriations for various purposes, and you have been told that they could not be considered because the Bureau of the Budget had failed to submit an estimate for such appropriations. Here it is sought to have you make an appropriation making a charge upon the Treasury of several hundred thousand dollars by an amendment which is not in issue between the two Houses at all.

As this bill passed the House there was not a single provision for the construction of a medical building. As this bill passed the Senate there was not a single word providing for the construction of a medical building.

The Chair has held it in order, after the bill has passed both Houses of Congress and comes here for the adoption of a conference report, that you can offer an amendment authorizing the construction of a building when in the bill as it passed House and Senate there is no provision for the construction of a building, and you are now called upon to consider an amendment appropriating several hundred thousand dollars for the construction of a building without any consideration of the merits of the proposition by any committee of either House.

Who would support it if it was offered here for George Washington University? Who would support it if it was offered for Georgetown University, or any other institution in the city of Washington? If it is to be constructed here, then the city of Washington ought to be made to pay a portion of the expense of constructing the building. Instead of that it is all to be taken out of the Federal Treasury.

Down at Hampton Roads there is the Hampton Institute, and there is the Tuskegee Institute, both performing splendid service in this country. Does anyone contend that we should, without authority of law, appropriate $500,000 for either one of these institutions? Why select this one in Washington and seek in this way to add an appropriation which has not been considered by either House, and is not germane to any provision in the bill? It is not authorized by law. It is not justified. I know that Congress should not authorize an expenditure of this kind in the absence of any law.

The SPEAKER. The time of the gentleman from South Carolina has expired.

Mr. CRAMTON. Mr. Speaker, I only want to say one word. When the bill was reported to the House it carried an item for part of the construction of this building. The item went out on a point of order. The Budget, as recommended by the President for 1925, carried an item of $500,000 for this purpose. We are eliminating $130,000, leaving that to be contributed by the alumni and friends of the university. There is no more acute need among the negroes than a medical school for colored physicians. The colored man who wants to practice medicine has no university in this country outside of Howard where he can without difficulty get his complete training. He can come to the University of Michigan and get his two years' classroom instruction, but when it comes to clinical work at the bedside of patients it is very difficult for him to get that. There is only one negro physician to every 3,194 of the colored population, while among the white population there is one physician to some 533 population. This building is very badly needed. The negro question is a national problem, and I hope the House will continue the policy

that we have had for 50 years and give aid to this university. [Applause.]

Mr. BULWINKLE. Will the gentleman yield?

Mr. CRAMTON. Yes.

Mr. BULWINKLE. I want to say to the gentleman that Shaw University in North Carolina provides medical instruction for colored people.

Mr. CRAMTON. Yes; and there are several other universities where they can get training but they can not get the clinical and bedside instruction.

Mr. WATKINS. This was provided for all through the Democratic administration for eight years, was it not?

Mr. CRAMTON. Yes; under every administration—Republican and Democratic.

Mr. BYRNS of Tennessee. If the gentleman will yield, I do not want the gentleman to overlook an important exception, and that is in Nashville, Tenn., where many colored doctors are turned out every year.

Mr. CRAMTON. My understanding is that the training is not complete in that they do not have the clinical and bedside experience, but even so, I will say that in my State, a northern State, the opportunities are very limited. Mr. Speaker, I move the previous question.

The previous question was ordered.

The SPEAKER. The question is on the motion of the gentleman from Michigan to recede and concur with an amendment.

The question was taken; and on a division (demanded by Mr. BYRNES of South Carolina) there were 91 ayes and 69 noes.

Mr. BYRNES of South Carolina. Mr. Speaker, I object to the vote and make the point that no quorum is present.

The SPEAKER. The gentleman from South Carolina makes the point that no quorum is present. 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 188, nays 90, not voting 153, as follows:

[Roll No. 93]

YEAS—188

Ackerman	Fairfield	MacGregor	Sears, Nebr.
Aldrich	Faust	Madden	Seger
Anderson	Fenn	Magee, N. Y.	Shallenberger
Andrew	Fitzgerald	Magee, Pa.	Simmons
Ayres	French	Major, Ill.	Sinclair
Bacon	Frothingham	Manlove	Sites
Barbour	Funk	Mapes	Smith
Beck	Gallivan	Mead	Smithwick
Beedy	Geran	Merritt	Snell
Beers	Gifford	Michaelson	Speaks
Begg	Goldsborough	Michener	Sproul, Kans.
Bloom	Green	Miller, Wash.	Stalker
Boles	Griest	Mills	Stephens
Boyce	Guyer	Minahan	Strong, Pa.
Boylan	Hadley	Montague	Summers, Wash.
Brand, Ohio	Hall	Mooney	Swing
Brumm	Hardy	Moore, Ill.	Swoope
Burtness	Hawley	Moore, Ohio	Taber
Burton	Hickey	Moores, Ind.	Taylor, W. Va.
Campbell	Hill, Md.	Morehead	Temple
Carew	Hill, Wash.	Morgan	Thatcher
Chindblom	Hoch	Morrow	Thomas, Okla.
Christopherson	Holaday	Murphy	Thompson
Clague	Howard, Okla.	Nelson, Me.	Tilson
Clancy	Hull, Iowa	Newton, Minn.	Timberlake
Cleary	Hull, Morton D.	Newton, Mo.	Tincher
Cole, Iowa	Hull, William E.	O'Connell, N. Y.	Tinkham
Colton	James	O'Connell, R. I.	Treadway
Connery	Johnson, S. Dak.	O'Connor, La.	Underhill
Cook	Johnson, Wash.	O'Connor, N. Y.	Underwood
Cooper, Ohio	Kearns	Patterson	Vaile
Cooper, Wis.	Keller	Purnell	Vestal
Cramton	Ketcham	Rainey	Vincent, Mich.
Crosser	Kopp	Raker	Wainwright
Crowther	Kurtz	Ramseyer	Wason
Cullen	Kvale	Ransley	Watkins
Dallinger	LaGuardia	Rathbone	Watres
Darrow	Leatherwood	Reed, N.Y.	Wefald
Davis, Minn.	Leavitt	Reid, Ill.	Weller
Dempsey	Lehlbach	Richards	White, Kans.
Denison	Lineberger	Robinson, Iowa	White, Me.
Dickinson, Iowa	Longworth	Robsion, Ky.	Williams, Mich.
Dowell	Luce	Sanders, Ind.	Williamson
Dyer	McKenzie	Sanders, N. Y.	Wilson, Ind.
Elliott	McLaughlin, Mich.	Schafer	Winslow
Evans, Iowa	McLaughlin, Nebr.	Schneider	Winter
Evans, Mont.	McSweeney	Scott	Woodruff

NAYS—90

Abernethy	Bland	Carter	Driver
Allen	Blanton	Collier	Fisher
Allgood	Bowling	Collins	Fulmer
Almon	Box	Connally, Tex.	Gardner, Ind.
Arnold	Briggs	Crisp	Garrett, Tenn.
Aswell	Browning	Davey	Gasque
Bankhead	Busby	Deal	Gilbert
Barkley	Byrnes, S. C.	Dickinson, Mo.	Hammer
Bell	Byrns, Tenn.	Doughton	Harrison
Black, Tex.	Canfield	Drewry	Hastings
Hill, Ala.	Lozier	Quin	Swank
Howard, Nebr.	Lyon	Ragon	Tillman
Huddleston	McClintic	Rankin	Upshaw
Humphreys	McDuffie	Rayburn	Vinson, Ga.
Jeffers	McReynolds	Reed, Ark.	Vinson, Ky.
Johnson, Tex.	McSwain	Romjue	Weaver
Jones	Mansfield	Rouse	Williams, Tex.
Kent	Moore, Ga.	Rubey	Wilson, La.
Kerr	Moore, Va.	Sanders, Tex.	Wilson, Miss.
Kincheloe	Morris	Sandlin	Wingo
Lanham	Oldfield	Sears, Fla.	Wright
Larsen, Ga.	Oliver, Ala.	Sherwood	
Lee, Ga.	Park, Ga.	Sumners, Tex.	

NOT VOTING—153

Anthony	Fredericks	Leach	Sabath
Bacharach	Free	Lilly	Salmon
Berger	Freeman	Lindsay	Schall
Bixler	Fulbright	Linthicum	Shreve
Black, N. Y.	Fuller	Logan	Sinnott
Brand, Ga.	Gambrill	Lowrey	Snyder
Britten	Garber	McFadden	Spearing
Browne, N. J.	Garner, Tex.	McKeown	Sproul, Ill.
Browne, Wis.	Garrett, Tex.	McLeod	Steagall
Buchanan	Gibson	McNulty	Stedman
Buckley	Glatfelter	MacLafferty	Stengle
Bulwinkle	Graham	Major, Mo.	Stevenson
Burdick	Greenwood	Martin	Strong, Kans.
Butler	Griffin	Miller, Ill.	Sullivan
Cable	Haugen	Milligan	Sweet
Cannon	Hawes	Morin	Tague
Casey	Hayden	Nelson, Wis.	Taylor, Colo.
Celler	Hersey	Nolan	Taylor, Tenn.
Clark, Fla.	Hooker	O'Brien	Thomas, Ky.
Clarke, N. Y.	Hudson	O'Sullivan	Tucker
Cole, Ohio	Hudspeth	Oliver, N. Y.	Tydings
Connolly, Pa.	Hull, Tenn.	Paige	Vare
Corning	Jacobstein	Parker	Voigt
Croll	Johnson, Ky.	Parks, Ark.	Ward, N. Y.
Cummings	Johnson, W. Va.	Peavey	Ward, N. C.
Curry	Jost	Peery	Watson
Davis, Tenn.	Kelly	Perkins	Welsh
Dickstein	Kendall	Perlman	Wertz
Dominick	Kiess	Phillips	Williams, Ill.
Doyle	Kindred	Porter	Wolff
Drane	King	Pou	Wood
Eagan	Knutson	Prall	Woodrum
Edmonds	Kunz	Quayle	Wurzbach
Fairchild	Lampert	Reece	Wyant
Favrot	Langley	Reed, W. Va.	Yates
Fish	Lankford	Roach	Zihlman
Fleetwood	Larson, Minn.	Rogers, Mass.	
Foster	Lazaro	Rogers, N. H.	
Frear	Lea, Calif.	Rosenbloom	

The Clerk announced the following pairs:

On the vote:

Mr. Anthony (for) with Mr. Buchanan (against).

Until further notice:

Mr. Fredericks with Mr. Milligan.
Mr. Butler with Mr. Bulwinkle.
Mr. King with Mr. Hawes.
Mr. McFadden with Mr. Johnson of Kentucky.
Mrs. Nolan with Mr. Lazaro.
Mr. Freeman with Mr. Dominick.
Mr. Graham with Mr. Lindsay.
Mr. Porter with Mr. Fulbright.
Mr. Fish with Mr. Garner of Texas.
Mr. Morin with Mr. Croll.
Mr. Kendall with Mr. Quayle.
Mr. Bacharach with Mr. Prall.
Mr. Hudson with Mr. Davis of Tennessee.
Mr. Bixler with Mr. Lowrey.
Mr. McLeod with Mr. Stedman.
Mr. Wurzbach with Mr. Thomas of Kentucky.
Mr. Leach with Mr. Woodrum.
Mr. Vare with Mr. Hudspeth.
Mr. Parker with Mr. Black of New York.
Mr. Zihlman with Mr. Drane.
Mr. Foster with Mr. Major of Illinois.
Mr. Sproul of Illinois with Mr. Browne of New Jersey.
Mr. Connolly of Pennsylvania with Mr. Hooker.
Mr. Perkins with Mr. Johnson of West Virginia.
Mr. Burdick with Mr. Greenwood.
Mr. Kiess with Mr. Hull of Tennessee.
Mr. Sweet with Mr. Peery.
Mr. Watson with Mr. Salmon.
Mr. Fleetwood with Mr. Lankford.
Mr. Wyant with Mr. Tague.
Mr. Garber with Mr. Logan.
Mr. Yates with Mr. Garrett of Texas.
Mr. Rogers of Massachusetts with Mr. Steagall.
Mr. Kelly with Mr. Kindred.
Mr. Clarke of New York with Mr. Pou.
Mr. Lampert with Mr. Lilly.
Mr. Shreve with Mr. Stengle.
Mr. Wertz with Mr. Kunz.
Mr. Paige with Mr. Spearing.
Mr. Free with Mr. Tucker.
Mr. Reece with Mr. McKeown.
Mr. Haugen with Mr. Tydings.
Mr. Wood with Mr. Martin.
Mr. Roach with Mr. Gambrill.
Mr. Williams of Illinois with Mr. Doyle.
Mr. Miller of Washington with Mr. Linthicum.
Mr. Curry with Mr. Major of Missouri.
Mr. Knutson with Mr. Sullivan.
Mr. Sinnott with Mr. Taylor of Colorado.
Mr. Cable with Mr. Favrot.
Mr. Fairchild with Mr. Brand of Georgia.
Mr. Hersey with Mr. Griffin.
Mr. Gibson with Mr. Buckley.
Mr. Fuller with Mr. Casey.

Mr. Phillips with Mr. Hayden.
Mr. Welsh with Mr. Corning.
Mr. Stalker with Mr. Lea of California.
Mr. Perlman with Mr. O'Brien.
Mr. Taylor of Tennessee with Mr. Rogers of New Hampshire.
Mr. Ward of New York with Mr. Cummings.
Mr. Miller of Illinois with Mr. Stevenson.
Mr. Snyder with Mr. Oliver of New York.
Mr. MacLafferty with Mr. Celler.
Mr. Rosenbloom with Mr. Eagan.
Mr. Schall with Mr. Parks of Arkansas.
Mr. Browne of Wisconsin with Mr. O'Sullivan.
Mr. Cole of Ohio with Mr. Sabath.
Mr. Nelson of Wisconsin with Mr. Dickstein.
Mr. Larson of Minnesota with Mr. McNulty.
Mr. Frear with Mr. Jacobstein.
Mr. Peavey with Mr. Clark of Florida.

The result of the vote was announced as above reported.

A quorum being present the doors were opened.

The SPEAKER. For the convenience of Members the Chair will state that it is the plan now this afternoon to take up the conference report upon the helium bill, which it is expected will take but a few minutes, and then two suspensions from the Veterans' Committee, one of which, at least, it is hoped will take very little time. If a quorum will stay here it is expected that we can finish by 6 o'clock.

Mr. BLANTON. Mr. Speaker, will the Chair permit an inquiry? There is to be a caucus at 7.30 o'clock. Will we not be given a little time between adjournment and the time of the caucus?

The SPEAKER. That would leave an hour and a half.

DISTRICT OF COLUMBIA APPROPRIATION BILL

Mr. DAVIS of Minnesota. Mr. Speaker, I submit a conference report upon 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, etc., for printing, under the rule.

CONSERVATION, PRODUCTION, AND EXPLOITATION OF HELIUM GAS

Mr. FROTHINGHAM. Mr. Speaker, I call up the conference report upon the bill (H. R. 5722) authorizing the conservation, production, and exploitation of helium gas.

The SPEAKER. The gentleman from Massachusetts calls up a conference report, which the Clerk will report.

The Clerk read the conference report, as follows:

CONFERENCE REPORT

The committee of conference on the disagreeing votes of the two Houses on the amendments of the Senate to the bill (H. R. 5722) authorizing the conservation, production, and exploitation of helium gas, a mineral resource pertaining to the national defense, and to the development of commercial aeronautics, and for other purposes, having met, after full and free conference have agreed to recommend and do recommend to their respective Houses as follows:

That the House recede from its disagreement to the amendment of the Senate and agree to the same with an amendment as follows: At the beginning of section 3 of the matter proposed to be inserted by the Senate strike out the words "immediately upon the passage of this act" and insert in lieu thereof the words "on or before June 30, 1925," and after the word "Provided," in the first proviso of section 3 insert the word "thereafter"; and the Senate agree to the same.

L. A. FROTHINGHAM,
J. MAYHEW WAINWRIGHT,
DANIEL E. GARRETT of Texas,
Managers on the part of the House.

J. W. WADSWORTH, Jr.,
ARTHUR CAPPER,
DUNCAN U. FLETCHER,
Managers on the part of the Senate.

Mr. FROTHINGHAM. Mr. Speaker, this is a unanimous report of the conferees. The measure is agreed to by the Secretary of the Navy, by the Secretary of War, and by the Secretary of the Interior, by all parties.

Mr. BLANTON. Mr. Speaker, I make the point of order that there is no quorum present.

Mr. LONGWORTH. We will keep in session late at that rate.

Mr. MADDEN. I hope the gentleman from Texas will withdraw that. We have a conference report that is complete on the District bill. We want to get that in. It will take only two minutes.

Mr. BLANTON. It has been reported by the Senate.

The SPEAKER. The gentleman from Texas makes the point of order that there is no quorum present. The Chair will count.

Mr. MADDEN. We do not want to take it up until we get these other things out of the way.

The SPEAKER (after counting). One hundred and ninety-seven Members are present, not a quorum.

Mr. LONGWORTH. Mr. Speaker, I move a call of the House.

A call of the House was ordered.

The SPEAKER. The Doorkeeper will close the doors, the Sergeant at Arms will bring in the absentees, and the Clerk will call the roll.

The Clerk called the roll, and the following Members failed to answer to their names:

[Roll No. 94]

Anthony	Fenn	Larson, Minn.	Reed, Ark.
Bacharach	Fleetwood	Leach	Reed, W. Va.
Barkley	Foster	Lee, Ga.	Roach
Berger	Frear	Lilly	Robsion, Ky.
Bixler	Fredericks	Lindsay	Rogers, Mass.
Black, N. Y.	Free	Linthicum	Rogers, N. H.
Boies	Freeman	Logan	Rosenbloom
Brand, Ga.	Fuller	Lowrey	Salmon
Britten	Funk	Lyon	Schall
Browne, N. J.	Garber	McKeown	Sherwood
Browne, Wis.	Garner, Tex.	McLaughlin, Nebr.	Sites
Buchanan	Garrett, Tex.	McLeod	Smithwick
Buckley	Gibson	McNulty	Spearing
Burdick	Gifford	MacLafferty	Sproul, Ill.
Burton	Glatfelter	Major, Mo.	Stedman
Butler	Graham	Martin	Sullivan
Cable	Greenwood	Miller, Ill.	Swoope
Carter	Griffin	Milligan	Taylor, Colo.
Casey	Hall	Montague	Thomas, Ky.
Celler	Haugen	Moore, Va.	Timberlake
Clancy	Hawes	Morin	Tucker
Clark, Fla.	Hayden	Nelson, Wis.	Tydings
Clarke, N. Y.	Hersey	Nolan	Vare
Cole, Ohio	Holaday	O'Brien	Voigt
Connolly, Pa.	Hooker	O'Sullivan	Ward, N. Y.
Cooper, Wis.	Hudson	Oliver, N. Y.	Ward, N. C.
Corning	Hudspeth	Paige	Watson
Croll	Hull, Tenn.	Parker	Wefald
Cummings	Hull, Iowa	Parks, Ark.	Welsh
Curry	Johnson, W. Va.	Peavey	Wertz
Dickstein	Jost	Peery	Williams, Mich.
Dominick	Kelly	Perlman	Winslow
Doyle	Kendall	Phillips	Winter
Drane	Kerr	Porter	Wolff
Driver	Kiess	Pou	Wood
Eagan	Kincheloe	Prall	Woodrum
Edmonds	Kindred	Quayle	Wurzbach
Evans, Mont.	Knutson	Ragon	Wyant
Fairfield	Kunz	Rayburn	Zihlman
Favrot	Langley	Reece	

The SPEAKER. Two hundred and seventy Members have answered to their names. A quorum is present.

Mr. LONGWORTH. Mr. Speaker, I move that further proceedings under the call be dispensed with.

The SPEAKER. The gentleman from Ohio moves that further proceedings under the call be dispensed with. The question is on agreeing to that motion.

The motion was agreed to.

Mr. FROTHINGHAM. Mr. Speaker, I yield five minutes to the gentleman from Texas [Mr. JONES].

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

Mr. JONES. Mr. Speaker and gentlemen of the House, I dislike to disagree with my colleague from Texas [Mr. LANHAM]. He has taken much interest in this matter and has done much to further the development and conservation of helium. I would like to have your attention for just a few minutes and I will not take up much of your time as it is growing late. This is the last step in a great conservation measure. It has passed the Senate. If the House adopts this conference report, which is unanimous, it will end this program for legislative authorization—a program that has taken a long time to work out. Here is an element that this country has a monopoly of, and which every other country is trying to get.

If this measure were sent back to conference in the turmoil of the closing lays of the Congress with the crowded condition of the calendar and the difficulty of securing consideration of anything, I fear it would mean its death knell, at least in so far as this Congress is concerned. The wasting of this priceless element is a national sin. If this measure is not passed it means a year's delay—and possibly an indefinite one. It means delay in its commercial development, as well as in its conservation and development as a matter of national defense.

The question as to whether the Bureau of Mines or the Navy shall operate the plant is incidental to the main question. The big question is to get this great conservation measure put over. As a matter of fact, the present manager of the plant, as I understand it, was trained in the Bureau of Mines; and so far as the Navy is concerned it can not keep one man in one

place more than a limited number of years and the present man who is there from the Navy must leave at the end of this year.

This element, of which this country has a natural monopoly, and which will be of great service in war time and which is in the infancy of its development, is of supreme importance. Covering a stretch of country from Texas all the way to New York, including Pennsylvania, West Virginia, Indiana, and Kansas, it is found in appreciable quantities only in the United States of America. To conserve it is a national duty. If it were not so near to the end of the session and the Congress, I would be perfectly willing to go into the questions raised by Mr. LANHAM. He may be right on them, but it is too late to consider them in this Congress.

This measure provides for a great program of development and conservation and that is infinitely more important than the question of who shall manage the plant that is now in operation. That swallows up the incidental question, as I see it, and I hope this House will adopt the conference report.

Mr. FROTHINGHAM. Mr. Speaker, I move the previous question on the conference report.

The previous question was ordered.

The SPEAKER. The question is on agreeing to the conference report.

The question was taken; and on a division (demanded by Mr. LANHAM) there were—ayes 118, noes 78.

So the conference report was agreed to.

HOUR OF MEETING MONDAY

Mr. LONGWORTH. Mr. Speaker, I ask unanimous consent that when the House adjourns to-morrow, it adjourn to meet at 10 o'clock Monday morning.

The SPEAKER. The gentleman from Ohio asks unanimous consent that when the House adjourns to-morrow it adjourn to meet at 10 o'clock Monday morning. Is there objection?

Mr. KING. Mr. Speaker, I object.

The SPEAKER. The Chair will recognize the gentleman to suspend the rules.

Mr. LONGWORTH. Mr. Speaker, I move to suspend the rules and provide that when the House adjourns to-morrow, Sunday, it adjourn to meet on Monday next at 10 o'clock a. m.

The SPEAKER. The gentleman from Ohio moves to suspend the rules and provide that when the House adjourns to-morrow, Sunday, it adjourn to meet at 10 o'clock a. m. Monday next.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the motion was agreed to.

AMENDMENT OF THE WORLD WAR VETERANS' ACT, 1924

Mr. JOHNSON of South Dakota. Mr. Speaker, I move to suspend the rules on the motion I send to the Clerk's desk.

Mr. GARRETT of Tennessee. Mr. Speaker, I hope the gentleman will not insist on further business now. We meet at 10 o'clock on Monday.

Mr. JOHNSON of South Dakota. Let me say to the gentleman from Tennessee that unless this bill is passed to-night I am certain there is absolutely no chance of passing this hospital building program, for which this House is unanimous, for which the Senate is unanimous, and which is one of the most necessary bills for the welfare of the service men. In taking up this bill, I will say to the gentleman from Tennessee, if I do take it up, I shall make no speech, no gentleman on the Democratic side desires to make a speech and no gentleman on the committee on this side desires to take up any time of the House.

Mr. GARRETT of Tennessee. As I understand, there is a contest on the bill.

Mr. JOHNSON of South Dakota. There is no contest on the bill which I am about to take up.

Mr. BLANTON. Is it the gentleman's $10,000,000 bill?

Mr. JOHNSON of South Dakota. No; it is the general legislative bill to amend the World War veterans' act of 1924.

Mr. GARRETT of Tennessee. How many pages does it cover and how long will it take to read it?

Mr. JOHNSON of South Dakota. I do not think it will take very long to read it, as the Clerk reads pretty fast.

Mr. WINGO. Why not take a recess until 11 o'clock?

Mr. JOHNSON of South Dakota. I will say to the gentleman if anyone wants to take the responsibility of defeating this bill, they must take it.

But I am clear that unless these bills are passed to-night neither of them will be enacted.

Mr. WINGO. The gentleman did not understand my suggestion. Why not take a recess until 10.30 o'clock to-night?

Mr. JOHNSON of South Dakota. We could not get a quorum at 10 or 11 o'clock.

Mr. WINGO. Oh, I think you could bring them in here. All the Democrats will be here. All you will have to do is to bring in the Republican Members.

Mr. BLANTON. That would cause inconvenience to the Republican Party.

Mr. GARRETT of Tennessee. Mr. Speaker, I do not propose to object, but I do want to say now that it seems to be a rather remarkable thing that the Republican Party, in control of the House, could not have brought in a bill of this importance at a time when it could be considered without inconvenience to the minority side of the House.

Mr. JOHNSON of South Dakota. May I say to the gentleman that that inconvenience is caused by the action of gentlemen on the Democratic side of the House who have been filibustering this afternoon and forcing roll calls.

Mr. BLANTON. And we are going to force roll calls whenever we get ready. The Constitution requires a quorum to be present.

Mr. GARRETT of Tennessee. We adjourned yesterday courteously, promptly, and quickly in order to give the majority its opportunity for conference. Now, there is not going to be objection upon this side of the House to the consideration of this bill, and I hope the consideration of it will proceed at once; but I want the gentlemen to understand that we recognize the imposition and what you are trying to do.

Mr. LONGWORTH. Mr. Speaker, I simply want to say that it is a matter of great personal regret that I was compelled to ask for a call of the House a moment ago. Had it not been for utterly silly demands for a quorum here to-day we would have been through long ago.

Mr. BLANTON. That comes with poor grace from the new manager of the House. The gentleman gets out of humor before he ought to. He ought to smile instead of frown.

Mr. LONGWORTH. If there is anybody but the gentleman himself who does not think it was silly, I would like to hear from him.

Mr. BLANTON. Well, we are going to have some more roll calls before we adjourn. There should be a quorum here to consider important bills.

Mr. JOHNSON of South Dakota. The gentleman can take that responsibility.

Mr. BLANTON. I will take the responsibility. I always take it when I think it is necessary.

Mr. WATKINS. Regular order, Mr. Speaker.

Mr. JOHNSON of South Dakota. Mr. Speaker, I move to suspend the rules and pass the bill (H. R. 12308) to amend the World War veterans' act, 1924.

The Clerk read the bill, as follows:

Be it enacted, etc., That section 3 of the World War veterans' act, 1924, is hereby amended to read as follows:

"SEC. 3. In Titles II, III, and IV of this act, unless the context otherwise requires—

"(1) The term 'child' includes—

"(a) A legitimate child.

"(b) A child legally adopted.

"(c) A stepchild, if a member of the man's household.

"(d) An illegitimate child, but, as to the father only, if acknowledged in writing signed by him, or if he has been judicially ordered or decreed to contribute to such child's support, or has been judicially decreed to be the putative father of such child.

"(2) The term 'grandchild' means a child as above defined of a child as above defined.

"(3) Except as used in section 300 the term 'child' and 'grandchild' are limited to unmarried persons either (a) under 18 years of age, or (b) of any age, if permanently incapable of self-support by reason of mental or physical defect.

"(4) The term 'parent' includes a father, mother, grandfather, grandmother, father through adoption, mother through adoption, stepfather, and stepmother, either of the persons in the service or of the spouse.

"(5) The terms 'father' and 'mother' include stepfathers and stepmothers, fathers and mothers through adoption, and persons who have stood in loco parentis to a member of the military or naval forces at any time prior to his enlistment or induction for a period of not less than one year.

"(6) The terms 'brother' and 'sister' include brothers and sisters of the half blood as well as those of the whole blood, stepbrothers and stepsisters, and brothers and sisters through adoption.

"(7) The terms 'brothers' and 'sisters' include the children of a person who, for a period of not less than one year, stood in loco parentis to a member of the military or naval forces of the United States at any time prior to his enlistment or induction, or another member of the same household as to whom such person during such period likewise stood in loco parentis.

"(8) The term 'commissioned officer' includes a warrant officer, but includes only an officer in active service in the military or naval forces of the United States.

"(9) The terms 'man' and 'enlisted man' mean a person, whether male or female and whether enlisted, enrolled, or drafted into active service in the military or naval forces of the United States, and include noncommissioned and petty officers and members of training camps authorized by law.

"(10) The term 'enlistment' includes voluntary enlistment, draft, and enrollment in active service in the military or naval forces of the United States.

"(11) The term 'injury' includes disease.

"(12) The term 'pay' means the pay for service according to grade and length of service, excluding all allowances.

"(13) The term 'military or naval forces' means the Army, the Navy, the Marine Corps, the Coast Guard, the Naval Reserves, the National Naval Volunteers, and any other branch of the United States service while serving pursuant to law with the Army or the Navy.

"(14) The terms 'World War,' 'during the period of the war,' and 'during the World War' mean the period beginning April 6, 1917, and ending July 2, 1921.

"(15) The terms 'date of termination of the war' and 'termination of the war' mean July 2, 1921."

SEC. 2. Section 4 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 4. There is established an independent bureau under the President, to be known as the United States Veterans' Bureau, the director of which shall be appointed by the President, by and with the advice and consent of the Senate. The Director of the United States Veterans' Bureau shall receive a salary of $10,000 per annum, payable monthly.

"There shall be included on the technical and administrative staff of the director such staff officers, experts, inspectors, and assistants as the director shall prescribe; and there shall be in the United States Veterans' Bureau such sections and subdivisions thereof as the director shall prescribe. The director may, in his discretion, appoint for each hospital operated or controlled by the United States Veterans' Bureau a chaplain at a salary not to exceed $3,000 per annum. With such exceptions as the President may deem advisable, all employees shall be subject to the civil service law and regulations made thereunder."

SEC. 3. Section 10 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 10. The director, subject to the general direction of the President, shall be responsible for the proper examination, medical care, treatment, hospitalization, dispensary, and convalescent care, necessary and reasonable aftercare, welfare of, nursing, vocational training, and such other services as may be necessary in the carrying out of the provisions of this act and for that purpose is hereby authorized and directed to establish in the United States Veterans' Bureau a permanent medical organization to be known as the United States Veterans' Bureau medical service, which shall function under and be subject to such regulations respecting the internal administration of such service and the conduct of its personnel as the director may prescribe. Appointments in such United States Veterans' Bureau medical service shall be made without regard to the laws governing appointments in the civil service of the United States.

"(1) The United States Veterans' Bureau medical service shall consist of a medical director, two assistant medical directors, and not to exceed 24 senior medical officers, 80 medical officers, 240 junior medical officers, and as many first and second assistant medical officers and internes as the director may deem necessary, a superintendent of nurses and such other nurses as may be deemed necessary by the director, in grades corresponding to the Army Nurse Corps. There shall also be included in such service one dental director, five dental officers, and such junior dental officers, first assistant dental officers and second assistant dental officers as may be deemed necessary.

"(2) The medical director and the assistant medical directors shall be appointed by the director. When any person appointed medical director or assistant medical director is superseded, if he remains in the service, he shall be assigned to the grade to which he would have been entitled but for his appointment as medical director or assistant medical director, due regard being given to the manner of promotion and the pay and allowances of officers in the United States Veterans' Bureau medical service. If there is no vacancy in the grade to which he is entitled, he shall be carried in that grade as an extra number until a vacancy occurs: (a) *Provided*, That not more than 50 per cent of the total number of medical officers in the grades prescribed by this act above that of first assistant medical officer shall be appointed during the first year after the passage of this act.

"(b) Appointments of the first 50 per cent of officers in such service below the grade of assistant medical director shall be made by the director upon the recommendation of the medical director and assistant medical directors under regulations prescribed by the director and approved by the President.

"(c) Appointments after the first increment and promotions shall be made upon the recommendation of boards of officers appointed from time to time by the director under regulations prescribed by the director and approved by the President, such boards to consist of five officers selected from the medical or dental officers of the United States Veterans' Bureau medical service.

"(d) All appointments, promotions, and separations of nurses in the United States Veterans' Bureau medical service shall be made under regulations prescribed by the director and approved by the President.

"(3) The pay and allowances of officers of the United States Veterans' Bureau medical service shall be the same as that provided for officers of the Medical Corps of the Army, in corresponding grades, as follows: The medical director, that of the Surgeon General; the assistant medical directors, that of the Assistant Surgeon General; the senior medical officers and dental director, that of colonel; the medical officers and dental officers, that of lieutenant colonel; the junior medical officers and junior dental officers, that of major; the first assistant medical officers and first assistant dental officers, that of captain; the second assistant medical officers and second assistant dental officers, that of first lieutenant. Internes shall receive such rate of pay as the director by regulations shall prescribe, but in no case shall the pay of such internes equal or exceed that of second assistant medical officers. Pay and allowances of nurses shall be that of nurses in corresponding grades of the Army Nurse Corps. In computing the increased pay on account of longevity there shall be credited to officers and nurses appointed under the provisions of this act all service rendered as medical officers or nurses in the United States Veterans' Bureau medical service.

"(4) The medical and dental officers and nurses appointed under the provisions of this act may be retired for disability only, with pay at the rate of 4 per cent of the pay of the grade in which they are serving or to which they are entitled under the provisions of this act multiplied by the number of completed years of service they have rendered to the United States Veterans' Bureau medical service: *Provided*, That in no instance shall total retirement pay exceed 75 per cent of the active pay of the grade in which retired.

"(5) Separations from the service of officers of the United States Veterans' Bureau medical service shall be made upon recommendation of boards of officers appointed from time to time by the director under regulations prescribed by the director and approved by the President, such boards to consist of five officers selected from the medical or dental officers of the United States Veterans' Bureau medical service: *Provided*, That officers so separated shall be granted six months' pay of the grade in which they were serving when separated, except where the separation is for inefficiency or inaptitude, or both, in which event such officers shall only be entitled to one month's pay of the grade in which they were serving when so separated: *Provided further*, That where an officer is separated from the service for misconduct all right to pay shall terminate as of the date of such separation.

"(6) Nothing in this act shall preclude the employment of additional medical, dental, or nursing personnel, where the same is necessary in the discretion of the Director of the United States Veterans' Bureau, with the approval of the President, in such numbers and at such rates of pay as the director, with the approval of the President, may determine.

"(7) All sums heretofore appropriated for administrative expenses for the purpose of carrying out the provisions of the World War veterans' act, 1924, and any amendments thereto, shall be available for the purpose of carrying out the provisions of this section.

"For the purposes of this section the Director of the United States Veterans' Bureau is further authorized, at the direction of the President or with the approval of the head of the department concerned, to utilize the now existing or future facilities of the United States Public Health Service, the War Department, the Navy Department, the Interior Department, the National Home for Disabled Volunteer Soldiers, and such other governmental facilities as may be made available for the purposes set forth in this act; and such governmental agencies are hereby authorized to furnish such facilities, including personnel, equipment, medical, surgical, and hospital services and supplies as the director may deem necessary and advisable in carrying out the provisions of this act, in addition to such governmental facilities as are hereby made available.

"When, in the opinion of the director, the facilities and services utilized for the hospitalization, medical care, and treatment for beneficiaries under this act are unsatisfactory, the director shall make arrangements for the further hospitalization, care, and treatment of such beneficiaries by other means.

"In the event that there is not sufficient Government hospital and other facilities for the proper medical care and treatment of beneficiaries under this act, and the director deems it necessary and advisable to secure additional Government facilities, he may, within the limits of appropriations made for carrying out the provisions of this paragraph, and with the approval of the President, improve or extend

existing governmental facilities, or acquire additional facilities by purchase or otherwise. Such new property and structures as may be improved, extended, or acquired shall become part of the permanent equipment of the United States Veterans' Bureau or of some one of the now existing agencies of the Government, including the War Department, Navy Department, Interior Department, Treasury Department, the National Home for Disabled Volunteer Soldiers, in such way as will best serve the present emergency, taking into consideration the future services to be rendered the veterans of the World War, including the beneficiaries under this act.

"In the event Government hospital facilities are insufficient or inadequate the director may contract with State, municipal, or in exceptional cases with private hospitals for such medical, surgical, and hospital services and supplies as may be required, and such contracts may be made for a period of not exceeding three years and may be for the use of a ward or other hospital unit or on such other basis as may be in the best interest of the beneficiaries under this act.

"There are hereby permanently transferred to the Veterans' Bureau all hospitals now or formerly under the jurisdiction of the Public Health Service or of the Treasury Department, the operation, management, or control of which have heretofore been transferred by the President to said bureau pursuant to the authority contained in section 9 of the act entitled 'An act to establish a Veterans' Bureau and to improve the facilities and service of such bureau and further to amend and modify the war risk insurance act, approved August 9, 1921.'"

SEC. 4. Section 19 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 19. In the event of disagreement as to claim under a contract of insurance between the bureau and any person or persons claiming thereunder an action on the claim may be brought against the United States either in the Supreme Court of the District of Columbia or in the District Court of the United States in and for the district in which such persons or any one of them resides, and jurisdiction is hereby conferred upon such courts to hear and determine all such controversies. The procedure in such suits shall be the same as that provided in sections 1575 and 1576 of the Compiled Statutes of the United States (act of March 3, 1887) and section 1578 thereof in so far as applicable. All persons having or claiming to have an interest in such insurance may be made parties to such suit, and such as are not inhabitants of or found within the district in which suit is brought may be brought in by order of the court to be served personally or by publication or in such other reasonable manner as the court may direct. In all cases where the bureau acknowledges the indebtedness of the United States upon any such contract of insurance and there is a dispute as to the person or persons entitled to payment, a suit in the nature of a bill of interpleader may be brought by the bureau in the name of the United States against all persons having or claiming to have any interest in such insurance in the Supreme Court of the District of Columbia or in the district court in and for the district in which any of such claimants reside: *Provided*, That not less than 30 days prior to instituting such suit the bureau shall mail a notice of such intention to each of the persons to be made parties to the suit. The circuit courts of appeal and the Court of Appeals of the District of Columbia shall respectively exercise appellate jurisdiction and, except as provided in sections 239 and 240 of the Judicial Code, the decrees of the circuit courts of appeal and the Court of Appeals of the District of Columbia shall be final. This section shall apply to all suits now pending against the United States under the provisions of the war risk insurance act as amended, or of the World War veterans' act, 1924, and amendments thereto."

SEC. 5. Section 23 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 23. The discharge or dismissal of any person from the military or naval forces on the ground that he was guilty of mutiny, treason, spying, or any offense involving moral turpitude or willful and persistent misconduct, of which he was found guilty by a court-martial, or that he was an alien, conscientious objector who refused to perform military duty or refused to wear the uniform, or a deserter, shall bar all rights to any compensation under Title II, or any training, or any maintenance and support allowance under Title IV: *Provided*, That this section shall not apply to an alien who volunteered or who was drafted into or who served in the Army, Navy, or Marine Corps of the United States during the World War, who was discharged subsequent to November 11, 1918, or who was not discharged from the service on or prior to November 11, 1918, on his own application or solicitation by reason of his being an alien, and whose service was honest and faithful: *Provided further*, That in case any person has been discharged or dismissed from the military or naval forces as a result of a court-martial trial, and it is thereafter established to the satisfaction of the director that at the time of the commission of the offense resulting in such court-martial trial and discharge such person was insane, such person shall be entitled to the compensation and vocational-training benefits under Titles II and IV hereof: *Provided further*, That discharge or dismissal or finding of guilt for any of the offenses specified in this section shall not affect the payment of compensation or maintenance and support allowance for disabilities incurred in or aggravated by service in any prior or subsequent enlistment: *Provided further*, That no compensation or insurance shall be payable for death inflicted as a lawful punishment for crime or military offense, except when inflicted by the enemy: *Provided*, That as to converted insurance the cash surrender value hereof, if any, on the date of such death shall be paid to the designated beneficiary, if living, or if there be no designated beneficiary alive at the death of the insured the said value shall be paid to the estate of the insured: *Provided further*, That the discharge of a person for having concealed the fact that he was a minor at the time of his enlistment shall not bar him from the benefits of this act if his service was otherwise honorable: *Provided further*, That this section shall be deemed to be in effect as of April 6, 1917, and the director is hereby authorized and directed to make provision by bureau regulation for payment of any insurance claim or adjustment in insurance premium account of any insurance contract which would not now be affected by this section as amended."

SEC. 6. Section 26 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 26. The amount of the monthly installments of compensation, yearly renewable term insurance, or accrued maintenance and support allowance which has become payable under the provisions of Titles II, III, or IV hereof, but which has not been paid prior to the death of the person entitled to receive the same, may be payable to the legal representatives of such person, or in the absence of a duly appointed legal representative, where the combined amounts payable are $500 or less, the director shall allow and pay such sum to such person or persons as would under the laws of the State of residence of the decedent be entitled to his personal property in case of intestacy: *Provided*, That in cases where the estate of the decedent would escheat under the laws of the place of his residence, such installments shall not be paid to the estate of the decedent but shall escheat to the United States and shall be credited to the appropriation from which the original award was made."

SEC. 7. Section 31 of the World War veterans' act, 1924, approved June 7, 1924, is hereby repealed.

SEC. 8. A new section is hereby added to Title I of the World War veterans' act, 1924, approved June 7, 1924, to be known as section 32:

"SEC. 32. Payment may be made for official telephone service and rental in the field wherever incurred in case of official telephones installed in private residences or private apartments or quarters when authorized under regulations established by the director."

SEC. 9. Section 200 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 200. For death or disability resulting from personal injury suffered or disease contracted in the military or naval service on or after April 6, 1917, and before July 2, 1921, or for an aggravation or recurrence of a disability existing prior to examination, acceptance, and enrollment for service, when such aggravation was suffered in, or such recurrence was caused by, the military or naval service on or after April 6, 1917, and before July 2, 1921, by any commissioned officer or enlisted man, or by any member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) when employed in the active service under the War Department or Navy Department, the United States shall pay to such commissioned officer or enlisted man, member of the Army Nurse Corps (female) or of the Navy Nurse Corps (female) or, in the discretion of the director, separately to his or her dependents, compensation as hereinafter provided; but no compensation shall be paid if the injury, disease, aggravation, or recurrence has been caused by his own willful misconduct: *Provided*, That no person suffering from paralysis, paresis, blindness, or constitutional lues shall be denied compensation by reason of willful misconduct, nor shall any person who is helpless or bedridden as a result of any disability be denied compensation by reason of willful misconduct. That for the purposes of this section every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department who was discharged or who resigned prior to July 2, 1921, and every such officer, enlisted man, or other member employed in the active service under the War Department or Navy Department on or before November 11, 1918, who on or after July 2, 1921, is discharged or resigns, shall be conclusively held and taken to have been in sound condition when examined, accepted, and enrolled for service, except as to defects, disorders, or infirmities made of record in any manner by proper authorities of the United States at the time of, or prior to, inception of active service, to the extent to which any such defect, disorder, or infirmity was so made of record: *Provided*, That an ex-service man who is shown to have or, if deceased, to have had, prior to January 1, 1925, neuropsychiatric disease, an active tuberculous disease, paralysis agitans, encephalitis lethargica, or amoebic dysentery developing a 10 per cent degree of disability or more in accordance with the provisions of subdivision (4) of section

202 of this act shall be presumed to have acquired his disability in such service between April 6, 1917, and July 2, 1921, or to have suffered an aggravation of a preexisting neuropsychiatric disease, tuberculosis, paralysis agitans, encephalitis lethargica, or amoebic dysentery in such service between said dates, and said presumption shall be conclusive in cases of active tuberculous disease, and encephalitis lethargica, but in all other cases said presumption shall be rebuttable by clear and convincing evidence; but nothing in this proviso shall be construed to prevent a claimant from receiving the benefits of compensation and medical care and treatment for a disability due to these diseases of more than 10 per cent degree (in accordance with the provisions of subdivision (4) section 202, of this act) on or subsequent to January 1, 1925, if the facts in the case substantiate his claim."

SEC. 10. Section 201 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 201. That if death results from injury—

"If the deceased leaves a widow or child, or if he leaves a mother or father either or both dependent upon him for support, the monthly compensation shall be the following amounts:

"(a) If there is a widow but no child, $30.

"(b) If there is a widow and one child, $40, with $6 for each additional child.

"(c) If there is no widow, but one child, $20.

"(d) If there is no widow, but two children, $30.

"(e) If there is no widow, but three children, $40, with $5 for each additional child.

"(f) If there is a dependent mother (or dependent father), $20, or both, $30. The amount payable under this subdivision shall not exceed the difference between the total amount payable to the widow and children and the sum of $75. Such compensation shall be payable, whether the dependency of the father or mother or both arises before or after the death of the person, but no compensation shall be payable if the dependency arises more than five years after the death of the person.

"(1) If death occur or shall have occurred subsequent to April 6, 1917, and before discharge or resignation from the service, the United States Veterans' Bureau shall pay for burial and funeral expenses and the return of body to his home a sum not to exceed $100, as may be fixed by regulation. Where a veteran of any war, including those persons who served honorably as Army nurses under contracts for 90 days or more during the Spanish-American War, who was not dishonorably discharged dies after discharge or resignation from the service and does not in the judgment of the director leave sufficient assets to meet the expenses of burial and funeral and the transportation of the body, the United States Veterans' Bureau shall pay the following sums: For a flag to drape the casket, and after burial to be given to the next of kin of the deceased, a sum not exceeding $7; also, for burial and funeral expenses and the transportation of the body (including preparation of the body) to the place of burial, a sum not exceeding $100 to cover such items and to be paid to such person or persons as may be fixed by regulations: *Provided*, That when such person dies while receiving from the bureau compensation or vocational training, the above benefits shall be payable in all cases: *Provided further*, That where such person, while receiving from the bureau medical, surgical, or hospital treatment or vocational training, dies away from home and at the place to which he was ordered by the bureau, or while traveling under orders of the bureau, the above benefits shall be payable in all cases and in addition thereto the actual and necessary cost of the transportation of the body of the person (including preparation of the body) to the place of burial, within the continental limits of the United States, its Territories or possessions and including also, in the discretion of the director, the actual and necessary cost of transportation of an attendant: *And provided further*, That no accrued pension, compensation, or insurance due at the time of death shall be deducted from the sum allowed.

"(2) The payment of compensation to a widow shall continue until her death or remarriage, and the payment of compensation to a parent shall continue to the death of such parent.

"(3) The payment of compensation to or for a child shall continue until such child reaches the age of 18 years or marries, or if such child be permanently incapable of self-support by reason of mental or physical defect, then during such incapacity.

"(4) Whenever the compensation payable to or for the benefit of any person under the provisions of this section is terminated by the happening of the contingency upon which it is limited, the compensation thereafter for the remaining beneficiary or beneficiaries, if any, shall be the amount which would have been payable to them if they had been the sole original beneficiaries.

"(5) As between the widow and the children not in her custody, and as between children, the amount of compensation shall be apportioned as may be prescribed by regulation.

"(6) The term 'widow,' as used in this section, shall not include one who shall have married the deceased later than 10 years after discharge or resignation from service, and shall include widower whenever his condition is such that if the deceased person were living he would have been dependent upon her for support.

"(7) That this section shall be deemed to be in effect as of April 6, 1917: *Provided, however*, That the receipt of a gratuity, pension, or compensation, including adjusted compensation, by widow, child, or parent, on account of the death, disability, or service of any person shall not bar the payment of compensation on account of the death or disability of any other person: *Provided*, That before compensation under this section shall be paid the claimant shall first surrender all claim to any gratuity or pension payable under any other law on account of the death of the same person."

SEC. 11. Section 202 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 202. If disability results from the injury—

"(1) If and while the disability is rated as total and temporary, the monthly compensation shall be the following amounts, payable monthly or semimonthly, as the director may prescribe:

"(a) If the disabled person has neither wife nor child living, $80.

"(b) If he has a wife but no child living, $90.

"(c) If he has a wife and one child living, $95 and $5 for each additional child.

"(d) If he has no wife and one child living, $90, with $5 for each additional child.

"(e) If he has a mother or father, either or both dependent on him for support, then, in addition to the above amounts, $10 for each parent so dependent.

"(2) If and while the disability is rated as partial and temporary, the monthly compensation shall be a percentage of the compensation that would be payable for his total and temporary disability, equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent.

"That any ex-service person shown to have had a tuberculosis disease of a compensable degree, and who in the judgment of the director has reached a condition of complete arrest of his disease, shall receive for three years compensation of not less than $50 per month: *Provided*, That no payment under this provision shall be retroactive.

"(3) If and while the disability is rated as total and permanent, the rate of compensation shall be $100 per month: *Provided, however*, That the permanent loss of the use of both feet or both hands, or of both eyes, or of one foot and one hand, or of one foot and one eye, or of one hand and one eye, or the loss of hearing of both ears, or becoming permanently helpless or permanently bedridden, shall be deemed to be total permanent disability: *Provided further*, That the compensation for the loss of the use of both eyes shall be $150 per month, and that compensation for the loss of the use of both eyes and one or more limbs shall be $200 per month: *And provided further*, That for double total permanent disability the rate of compensation shall be $200 per month.

"That any ex-service person shown to have a tuberculous disease of compensable degree, and who has been hospitalized for a period of one year, and who in the judgment of the director will not reach a condition of arrest by further hospitalization, and whose discharge from hospitalization will not be prejudicial to the beneficiary or his family, and who is not, in the judgment of the director, feasible for training, shall, upon his request, be discharged from hospitalization and rated as not less than temporarily and totally disabled, said rating to continue for the period of three years: *Provided, however*, Whenever any beneficiary under this title has been rated temporarily and totally disabled, and has been or shall be continuously so rated and so disabled for a period of 24 months, such beneficiary shall be judged permanently totally disabled, such rating not to be decreased during the continuance of total disability.

"(4) If and while the disability is rated as partial and permanent, the monthly compensation shall be a percentage of the compensation that would be payable for his total and permanent disability equal to the degree of the reduction in earning capacity resulting from the disability, but no compensation shall be payable for a reduction in earning capacity rated at less than 10 per cent.

"(a) A schedule of ratings of reductions in earning capacity from injuries or combinations of injuries of a permanent or temporary character shall be adopted and applied by the bureau. Ratings may be as high as 100 per cent. The ratings shall be based, as far as practicable, upon the average impairments of earning capacity resulting from such injuries in civil occupations, and not upon the impairment in earning capacity in each individual case, so that there shall be no reduction in the rate of compensation for individual success in overcoming the handicap of an injury. The bureau in adopting the schedule of ratings of reduction in earning capacity shall consider the impairment in ability to secure employment which results from such injuries. The bureau shall from time to time readjust this schedule of ratings whenever actual experience shall show that it is unjust to the disabled veteran.

"(5) If the disabled person is so helpless as to be in constant need of a nurse or attendant, such additional sum shall be paid, but not exceeding $50 per month, as the director may deem reasonable.

"(6) In addition to the compensation above provided, the injured person shall be furnished by the United States Veterans' Bureau

such reasonable governmental care or medical, surgical, dental, and hospital services, including payment of court costs and other expenses incident to proceedings heretofore or hereafter taken for the commitment of mentally incompetent persons to institutions for the care or treatment of the insane, and shall be furnished with such supplies including dental appliances, wheel chairs, artificial limbs, trusses, and similar appliances, including special clothing made necessary by the wearing of prosthetic appliances prescribed by the bureau, as the director may determine to be useful and reasonably necessary, which dental appliances, wheel chairs, artificial limbs, trusses, special clothing, and similar appliances may be procured by the bureau in such manner, either by purchase or manufacture, as the director may determine to be advantageous and reasonably necessary: *Provided*, That nothing in this act shall be construed to affect the necessary military control over any member of the Military or Naval Establishments before he shall have been discharged from the military or naval service.

"(7) Where any disabled person having neither wife, child, nor dependent parent shall, after July 1, 1924, have been maintained by the bureau for a period or periods amounting to six months in an institution or institutions, and shall be deemed by the director to be insane, the compensation for such person shall thereafter be $20 per month so long as he shall thereafter be maintained by the bureau in an institution; and such compensation may, in the discretion of the director, be paid to the chief officer of said institution to be used for the benefit of such person: *Provided, however*, That if such person shall recover his reason and shall be discharged from such institution as competent, an additional amount of $60 per month shall be paid to him for each month the rate of compensation was $20 per month as provided by this subdivision.

"All or any part of the compensation of any mentally incompetent inmate of an institution, may, in the discretion of the director, be paid to the chief officer of said institution to be properly accounted for and to be used for the benefit of such inmate, or may in the discretion of the director be apportioned to wife, child, or children, or dependent parents, in accordance with regulations.

"After June 30, 1927, the monthly rate of compensation for all veterans (other than those totally and permanently disabled), who are being maintained by the bureau in a hospital of any description and who are without wife, child, or dependent parent, shall not exceed $40.

"(8) The director shall prescribe by regulation the conditions and limitations whereby all patients or beneficiaries of the bureau who are receiving treatment through the bureau as patients in a hospital may allot any proportion or proportions or any fixed amount or amounts of their monthly compensation for such purposes and for the benefit of such person or persons as they may direct.

"In case such patient has not allotted three-fourths of his monthly compensation and in case the director shall find that by gross dissipation he is retarding his own progress to recovery, then regulations to be made by the director may provide that (except in the case of persons who are within the terms of the first paragraph of subdivision (7) hereof) any unallotted portion of such three-fourths compensation shall be deposited to the patients' credit with the Treasurer of the United States to accumulate at such rate of interest as the Secretary of the Treasury may determine, but at a rate never less than 3½ per cent per annum, and when such patient shall be discharged by the bureau from hospital care, the said deposit and interest shall be paid to such patient if living, otherwise to any beneficiary or beneficiaries he may have designated, or if there be no such beneficiary, then to the executor or administrator of the estate of such deceased person: *Provided*, That this paragraph shall not be so construed as to prevent payment by the bureau from the amounts due to the decedent's estate of his funeral expenses, expenses of last illness, board, rent, lodging, or other household expenses for which the decedent is liable, provided a claim therefor is presented by the creditors or by the person or persons who actually paid the same before settlement by the bureau.

"The Secretary of the Treasury is hereby authorized to invest and reinvest the said allotments deposited with him, or any part thereof, in interest-bearing obligations of the United States and to sell the obligations for the purposes of said funds.

"(9) In addition to the care, treatment, and appliances now authorized by law, said bureau shall also provide, without charge therefor, hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances (including such dental appliances as may be found reasonably necessary by the director) for any member of the military or naval forces of the United States, not dishonorably discharged, disabled by reason of any wound or injury received or disease contracted, or by reason of any aggravation of a preexisting injury or disease, specifically noted at examination for entrance into or employment in the active military or naval service while in the active military or naval service of the United States on or after April 6, 1917, and before July 2, 1921: *Provided*, That the wound or injury received or disease contracted or aggravation of a preexisting injury or disease, for which such hospital, dental, medical, surgical, and convalescent care and treatment and prosthetic appliances (including such dental appliances as may be found reasonably necessary by the director) shall be furnished, was incurred in the military or naval service and not caused by his own willful misconduct: *Provided*, That where a beneficiary of the bureau suffers or has suffered an injury or contracted a disease in service entitling him to the benefits of this subdivision, and an emergency develops or has developed requiring immediate treatment or hospitalization on account of such injury or disease, and no bureau facilities are or were then feasibly available and in the judgment of the director delay would be or would have been hazardous, the director is authorized to reimburse such beneficiary the reasonable value of such service received from sources other than the bureau.

"(10) The director is authorized, so far as he shall find that existing Government facilities permit, to furnish hospitalization, including such dental, medical, surgical care, and prosthetic appliances (including dental appliances where they are a part of the treatment) as the director may determine to be necessary, together with necessary traveling expenses to veterans of any war, military occupation, or military expedition, including those persons who served honorably as Army nurses under contracts for 90 days or more during the Spanish-American War, not dishonorably discharged, without regard to the nature or origin of their disabilities: *Provided*, That preference in admittance to any such hospital for hospitalization under the provisions of this subdivision shall be accorded those veterans who are unable to pay for their hospitalization or their necessary traveling expenses: *Provided further*, That such hospitalization in emergency may be extended by the officers in charge of Government hospitals when application is made to the hospital. In the insular possessions of the United States, the director is further authorized to furnish hospitalization in other than Government hospitals.

"(11) The director shall have the same power, and shall be subject to the same limitations, in the sale of surplus or condemned supplies, material, and other personal property as now pertains to the Secretary of War. The director is authorized to make regulations governing the disposal of articles produced by patients of such bureau in the course of their curative treatment, or to allow the patients to sell or to retain such articles.

"(12) Where the disabled person is a patient in a hospital, or where for any other reason the disabled person and his wife are not living together, or where the children are not in the custody of the disabled person, the amount of the compensation may in the discretion of the director be apportioned under such regulation as he may prescribe.

"(13) The term 'wife' as used in this section shall include 'husband' if the husband is dependent upon the wife for support.

"(14) That the bureau is authorized to furnish transportation, also the medical, surgical, and hospital services and the supplies and appliances provided by subdivision (6) hereof, to discharge members of the military or naval forces of those governments which have been associated in war with the United States since April 6, 1917, and come within the provisions of laws of such governments similar to this act, at such rates and under such regulations as the director may prescribe; and the bureau is hereby authorized to utilize the similar services, supplies, and appliances provided for the discharged members of the military and naval forces of those governments which have been associated in war with the United States since April 6, 1917, by the laws of such governments similar to this act in furnishing the discharged members of the military and naval forces of the United States who live within the territorial limits of such governments and come within the provisions of subdivision (6) hereof, with the services, supplies, and appliances provided for in such subdivision; and any appropriations that have been or may hereafter be made for the purpose of furnishing the services, supplies, and appliances provided for by subdivision (6) hereof are hereby made available for the payment to such governments or their agencies for the services, supplies, and appliances so furnished at such rates and under such regulations as the director may prescribe.

"(15) No compensation hereunder shall be paid for the period during which any such person is being furnished by the bureau a course of vocational rehabilitation and support as authorized in Title IV hereof: *Provided, however*, That in the event any person pursuing a course of vocational rehabilitation is entitled under Title II of this act to compensation in an amount in excess of the payments made to him under Title IV hereof for his support and the support of his dependents, if any, the bureau shall pay monthly to such person such additional amount as may be necessary to equal the total compensation due under Title II hereof.

"(16) That no changes in rates of compensation made by this act shall be retroactive in effect."

SEC. 12. Section 205 of the World War veterans act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 205. Upon its own motion or upon application the bureau may at any time review an award and, in accordance with the facts found upon such review, may end, diminish, or increase the compensation previously awarded, or if compensation is increased, or if com-

pensation has been refused, reduced, or discontinued, may award compensation in proportion to the degree of disability sustained as of the date such degree of disability began, but not earlier than the date of discharge or resignation. Except in cases of fraud participated in by the beneficiary, no reduction of compensation shall be made retroactive, and no reduction or discontinuance of compensation shall be effective until the first day of the third calendar month next succeeding that in which such reduction or discontinuance is determined: *Provided*, That where a claimant's disability has once been held to be of service origin it can not, at a later date, except it be upon new evidence of a conclusive nature, evidence of glaring error, or fraud, be held to be not of service origin."

SEC. 13. That section 208 of the World War veterans' act, 1924, approved June 7, 1924, is hereby repealed.

SEC. 14. Section 209 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 209. That no compensation shall be payable and that (except as provided by subdivision (10) of section 202 hereof) no treatment shall be furnished unless a claim therefor be filed in case of disability within five years after discharge or resignation from the service, or, in case of death during the service, within five years after such death is officially recorded in the department under which he may be serving: *Provided, however*, That where compensation is payable for death or disability occurring after discharge or resignation from the service, claim must be made within five years after such death or the beginning of such disability.

"The time herein provided may be extended by the director not to exceed two years for good cause shown. If at the time that any right accrues to any person under the provisions of this title such person is a minor, or is of unsound mind or physically unable to make a claim, the time herein provided shall not begin to run until such disability ceases.

"The provisions of this section shall not apply to persons discharged between April 6, 1917, and October 6, 1917, who died before December 24, 1919, or who died in the service between April 6, 1917, and October 6, 1917, and neither shall the time herein provided for filing claims begin to run against persons discharged from the military service between such dates until December 24, 1919."

SEC. 15. Section 212 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 212. This act is intended to provide a system for the relief of persons who were disabled, and for the dependents of those who died as a result of disability suffered in the military service of the United States between April 6, 1917, and July 2, 1921. For such disabilities and deaths no other pension law or laws providing for gratuities or payments shall be applicable: *Provided, however*, That the laws relating to the retirement of persons in the regular military or naval service shall not be considered to be laws providing for pensions, gratuities, or payments within the meaning of this section: *And provided further*, That compensation under this title shall not be paid while the person is in receipt of active service pay, or retirement pay for disability incurred in the service between April 6, 1917, and July 2, 1921. Titles II and IV of this act shall not be applicable to any disability or resultant death in the service if such disability occurred as a result of service prior to April 6, 1917, or after July 2, 1921.

SEC. 16. Section 213 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 213. Where any person suffers or has suffered an injury or an aggravation of an existing injury as the result of training, hospitalization, or medical or surgical treatment, awarded to him by the director, or as a result of having submitted to examination ordered by the director under authority of sections 303 of the war risk insurance act or 203 of this act, and not the result of his misconduct, and such injury or aggravation of an existing injury results in additional disability to or the death of such person, the benefits of this title shall be awarded in the same manner as though such disability, aggravation, or death was the result of military service during the World War. The benefits of this section shall be in lieu of the benefits under the act entitled 'An act to provide compensation for employees of the United States suffering injuries while in the performance of their duties, and for other purposes,' approved September 7, 1916: *Provided*, That application be made for such benefits within two years after such injury or aggravation was suffered or such death occurred or after the passage of this act whichever is the later date."

SEC. 17. A new section be added to the World War veterans' act, 1924, approved June 7, 1924, to read as follows:

"SEC. 214. (1) That if any injury or death for which compensation is payable under section 213, Title II, is caused under circumstances creating a legal liability upon some person other than the United States to pay damages therefor, the director, as a condition to payment of compensation by the United States, may require the beneficiary to assign to the United States any rights of action he may have to enforce such liability of such other person, or if it appears to be for the best interests of the beneficiary the director may require him to prosecute the said action in his own name, subject to regulations. The director may require such assignment or prosecution at any time after the injury or death, and the failure on the part of the beneficiary to so assign or to prosecute said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned to the United States may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be placed to the credit of the military and naval compensation appropriation. If the amount placed to the credit of such appropriation in such case is in excess of the amount of the award of compensation, if any, such excess shall be paid to the beneficiary after any compensation award for the same injury or death is made.

"If a beneficiary or conditional beneficiary shall have recovered, as a result of a suit brought by him or on his behalf, or as a result of a settlement made by him or on his behalf, any money or other property in satisfaction of the liability of such other person, such money or other property so recovered shall be credited upon any compensation payable, or which may become payable, to such beneficiary or conditional beneficiary by the United States on account of the same injury or death."

"(2) If an injury or death for which compensation may be payable under section 213, Title II, hereof, is caused under circumstances creating a legal liability upon some person, other than the United States, to pay damages therefor, then, in order to preserve the right of action, the director may require the conditional beneficiary at any time after the injury or death to assign such right of action to the United States, or, if it appears to be for the best interests of such conditional beneficiary, to prosecute the said cause of action in his own name, subject to regulations. The failure on the part of the beneficiary to so assign or to prosecute the said cause of action in his own name within a reasonable time, to be fixed by the director, shall bar any right to compensation on account of the same injury or death. The cause of action so assigned may be prosecuted or compromised by the director, and any money realized or collected thereon, less the reasonable expenses of such realization or collection, shall be paid to such beneficiary, and be credited upon any future compensation which may become payable to such beneficiary by the United States on account of the same injury or death.

"(2a) The Veterans' Bureau is hereby authorized to pay the beneficiary or other person or persons in whose name an action may have been commenced or prosecuted, and to all witnesses in such action, fees and mileage, the same as is now paid and allowed to witnesses in the United States courts, in going to, remaining at, and returning from place of trial, and without regard to whether the action, if any, is brought or prosecuted in a court of the United States or some other court.

"In all cases of assignment of causes of action under this section, whether the assignment be heretofore or hereafter made, where it shall appear to the director to be to the best interests of the beneficiary so to do, the director, acting for and in the name of the United States, may assign the cause of action back to the beneficiary or to his personal representative.

"(3) The bureau shall make all necessary regulations for carrying out the purposes of this section. For the purpose of computation only under this section the total amount of compensation due any beneficiary shall be deemed to be equivalent to a lump sum equal to the present value of all future payments of compensation computed as of the date of the award of compensation at 4 per cent, true discount, compounded annually. The probability of the beneficiary's death before the expiration of the period during which he is entitled to compensation shall be determined according to the American Experience Table of Mortality.

"A conditional beneficiary is any person who may become entitled to compensation under section 213, Title II, on or after the death of the injured person."

SEC. 18. Section 300 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 300. In order to give to every commissioned officer and enlisted man and to every member of the Army Nurse Corps (female) and of the Navy Nurse Corps (female) when employed in active service under the War Department or Navy Department protection for themselves and their dependents, the United States, upon application to the bureau and without medical examination, shall grant United States Government life insurance (converted insurance) against the death or total permanent disability of any such person in any multiple of $500, and not less than $1,000 or more than $10,000, upon the payment of the premiums as hereinafter provided. Such insurance must be applied for within 120 days after enlistment or after entrance into or employment in the active service and before discharge or resignation.

"The insurance shall be payable only to a spouse, child, grandchild, parent, brother, sister, uncle, aunt, nephew, niece, brother-in-law, or sister-in-law, or to any or all of them, and also during total and permanent disability to the injured person.

"Where a beneficiary at the time of designation by the insured is within the permitted class of beneficiaries and is the designated benefi-

ciary at the time of the maturity of the insurance because of the death of the insured, such beneficiary shall be deemed to be within the permitted class, even though the status of such beneficiary shall have been changed.

"The United States shall bear the expenses of administration and the excess mortality and disability cost resulting from the hazards of war. The premium rates shall be the net rates based upon the American Experience Table of Mortality and interest at 3½ per cent per annum. This section shall be deemed to be in effect as of June 7, 1924."

SEC. 19. Section 301 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 301. Not later than July 2, 1926, all term insurance held by persons who were in the military service after April 6, 1917, shall be converted, without medical examination, into such form or forms of insurance as may be prescribed by regulations and as the insured may request. Regulations shall provide for the right to convert into ordinary life, 20-payment life, endowment maturing at age 62, and into other usual forms of insurance and shall prescribe the time and method of payment of the premiums thereon, but payments of premiums in advance shall not be required for periods of more than one month each and may be deducted from the pay or deposit of the insured or be otherwise made at his election.

"All term insurance shall cease on July 2, 1926, except when death or total permanent disability shall have occurred before July 2, 1926.

"In case where an insured whose yearly renewable term insurance has matured by reason of total permanent disability is found and declared to be no longer permanently and totally disabled, and where the insured is required under regulations to renew payment of premiums on said term insurance, and where this contingency is extended beyond the period during which said yearly renewable term insurance otherwise must be converted, there shall be given such insured an additional period of two years from the date on which he is required to renew payment of premiums in which to convert said term insurance as hereinbefore provided.

"The insurance except as provided herein shall be payable in 240 equal monthly installments. Provisions for maturity at certain ages, for continuous installments during the life of the insured or beneficiaries, or both, for cash, loan, paid up and extended values, dividends from gains and savings, and such other provisions for the protection and advantage of and for alternative benefits to the insured and the beneficiaries as may be found to be reasonable and practicable, may be provided for in the contract of insurance, or from time to time by regulations. All calculations shall be based upon the American experience table of mortality and interest at 3½ per cent per annum, except that no deduction shall be made for continuous installments during the life of the insured in case his total and permanent disability continues more than 240 months. Subject to regulations, the insured shall at all times have the right to change the beneficiary or beneficiaries without the consent of such beneficiary or beneficiaries, but only within the classes herein provided.

"If no beneficiary within the permitted class be designated by the insured as beneficiary for converted insurance granted under the provisions of Article IV of the war risk insurance act, or Title III of this act, either in his lifetime or by his last will and testament, or if the designated beneficiary does not survive the insured, then there shall be paid to the estate of the insured the present value of the remaining unpaid monthly installments; or if the designated beneficiary survives the insured and dies before receiving all of the installments of converted insurance payable and applicable, then there shall be paid to the estate of such beneficiary the present value of the remaining unpaid monthly installments: *Provided*, That no payments shall be made to any estate which under the laws of the residence of the insured or the beneficiary, as the case may be, would escheat, but same shall escheat to the United States and be credited to the United States Government life-insurance fund.

"The bureau may make provision in the contract for converted insurance for optional settlements, to be selected by the insured, whereby such insurance may be made payable either in one sum or in installments for 36 months or more. The bureau may also include in said contract a provision authorizing the beneficiary to elect to receive payment of the insurance in installments for 36 months or more, but only if the insured has not exercised the right of election as hereinbefore provided; and even though the insured may have exercised his right of election the said contract may authorize the beneficiary to elect to receive such insurance in installments spread over a greater period of time than that selected by the insured. This section shall be deemed to be in effect as of June 7, 1924."

SEC. 20. Section 303 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 303. If no person within the permitted class be designated as beneficiary for yearly renewable term insurance by the insured either in his lifetime or by his last will and testament or if the designated beneficiary does not survive the insured or survives the insured and dies prior to receiving all of the 240 installments or all such as are payable and applicable, there shall be paid to the estate of the insured the present value of the monthly installments thereafter payable, said value to be computed as of date of last payment made under any existing award: *Provided*, That all awards of yearly renewable term insurance which are in course of payment on the date of the approval of this act shall continue until the death of the person receiving such payments, or until he forfeits same under the provisions of this act. When any person to whom such insurance is now awarded dies or forfeits his rights to such insurance then there shall be paid to the estate of the insured the present value of the remaining unpaid monthly installments of the insurance so awarded to such person: *Provided further*, That no award of yearly renewable term insurance which has been made to the estate of a last surviving beneficiary shall be affected by this amendment: *Provided further*, That in cases when the estate of an insured would escheat under the laws of the place of his residence the insurance shall not be paid to the estate but shall escheat to the United States and be credited to the military and naval insurance appropriation. This section shall be deemed to be in effect as of October 6, 1917."

SEC. 21. Section 304 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 304. In the event that all provisions of the rules and regulations other than the requirements as to the physical condition of the applicant for insurance have been complied with an application for reinstatement, in whole or in part, of lapsed or canceled yearly renewable term insurance or United States Government life insurance (converted insurance) hereafter made may be approved if made within one year after the passage of this act or within two years after the date of lapse or cancellation: *Provided*, That the applicant's disability is the result of an injury or disease, or of an aggravation thereof, suffered or contracted in the active military or naval service during the World War: *Provided further*, That the applicant during his lifetime submits proof satisfactory to the director showing that he is not totally and permanently disabled. As a condition, however, to the acceptance of an application for the reinstatement of lapsed or canceled yearly renewable term insurance, where the requirements as to the physical condition of the applicant have not been complied with, or, for the reinstatement of United States Government life insurance (converted insurance), the applicant shall be required to pay all the back monthly premiums which would have become payable if such insurance had not lapsed, together with interest at the rate of 5 per cent per annum, compounded annually, on each premium from the date said premium is due by the terms of the policy: *Provided further*, That where all of the requirements for reinstatement of yearly renewable term insurance under this section are complied with, except the payment of unpaid premiums with interest, and proof satisfactory to the director is furnished showing the applicant is unable to pay such premiums with interest or some part thereof, the application may be approved, and the amount of unpaid premiums with interest as provided in this section shall be placed as an interest-bearing indebtedness against the insurance, such indebtedness to bear interest at the rate of 5 per cent per annum, compounded annually, to be deducted in any settlement thereunder: *And provided further*, That no term insurance shall be reinstated after July 2, 1926."

SEC. 22. A new section be added to Title III of the World War veterans' act, 1924, approved June 7, 1924, to be known as section 308, and to read as follows:

"SEC. 308. Any person in the active service on or after the 6th day of April, 1917, who before the expiration of 120 days after October 6, 1917, was discharged under honorable conditions while suffering with a disability of a degree of less than permanent and total either incurred in or aggravated by such service who failed to make application for insurance and who becomes or has become permanently and totally disabled or dies or has died as a result of such disabilities, shall be deemed to have applied for and to have been granted insurance, payable to such person during permanent and total disability in monthly installments of $25. each. If he shall die before he shall have received 240 of such monthly installments, then $25 per month shall be paid to his widow from the time of his death and during her widowhood; or if there is no widow surviving him, then to his child or children; or if there be no widow, child, or children, then to his mother; or if there be no widow, child, children, or mother, then to his father if and while they survive him: *Provided, however*, That not more than 240 of such monthly installments, including those received by such person during his permanent and total disability, shall be so paid. The amount of the monthly installments shall be apportioned between children as may be provided by regulations."

SEC. 23. A new section be added to the World War veterans' act, 1924, approved June 7, 1924, to be known as section 309, and to read as follows:

"SEC. 309. Where any person allowed his insurance to lapse and died prior to collecting the $60 bonus provided by the act of February 24, 1919 (40 Stat. p. 1151), then and in that event his insurance

shall not be considered as lapsed during such period as said uncollected bonus would if applied to the payment of premiums when due, equal or exceed the same, and the United States Veterans' Bureau is hereby authorized and directed to pay to his beneficiaries under said policy the amount of said insurance less the premiums and interest thereon at 5 per cent per annum compounded annually in installments as provided by law."

SEC. 24. Section 406 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 406. That the date of limitation for entrance into training, June 30, 1925, contained in section 403 and the date of limitation for termination of training, June 30, 1926, contained in sections 401 and 402 may, in the discretion of the director, be extended for the benefit of those persons who are eligible for training, but who, in the judgment of the director, are not feasible to commence training by June 3, 1925, and the bureau is hereby authorized to furnish such persons suitable courses of vocational rehabilitation with the same rights, privileges, and payments as are now granted by the provisions of sections 401 and 402."

SEC. 25. A new section be added to Title IV of the World War veterans' act, 1924, approved June 7, 1924, to be known as section 407, and to read as follows:

"SEC. 407. The director is authorized to make provisions by regulation whereby trainees of the United States Veterans' Bureau who have successfully completed their courses or such part of their courses as enables them to enter employment or business in line with their training shall be allowed to retain such equipment, supplies, and books as the director may by regulation prescribe."

SEC. 26. Section 500 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 500. Except in the event of legal proceedings under section 19 of Title I of this act, no claim agent or attorney except the recognized representatives of the American Red Cross, the American Legion, the Disabled American Veterans, and Veterans of Foreign Wars, and such other organizations as shall be approved by the director shall be recognized in the presentation or adjudication of claims under Titles II, III, and IV of this act, and payment to any attorney or agent for such assistance as may be required in the preparation and execution of the necessary papers in any application to the bureau shall not exceed $10 in any one case: *Provided, however,* That wherever a judgment or decree shall be rendered in an action brought pursuant to section 19 of Title I of this act the court, as a part of its judgment or decree, shall determine and allow reasonable fees for the attorneys of the successful party or parties and apportion same if proper, said fees not to exceed 10 per cent of the amount recovered and to be paid by the bureau out of the payments to be made under the judgment or decree at a rate not exceeding one-tenth of each of such payments until paid. Any person who shall, directly or indirectly, solicit, contract for, charge, or receive, or who shall attempt to solicit, contract for, charge, or receive any fee or compensation, except as herein provided, shall be guilty of a misdemeanor, and for each and every offense shall be punishable by a fine of not more than $500 or by imprisonment at hard labor for not more than two years, or by both such fine and imprisonment."

SEC. 27. Section 503 of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 503. That whoever shall obtain or receive any money, check, compensation, insurance, or maintenance and support allowance under the war risk insurance act as amended, the vocational rehabilitation act as amended, or the World War veterans' act, 1924, and any amendments thereto without being entitled to the same, and with intent to defraud the United States or any beneficiary of the United States Veterans' Bureau shall be punished by a fine of not more than $2,000 or by imprisonment for not more than one year, or by both such fine and imprisonment."

SEC. 28. Section 504, Title V, of the World War veterans' act, 1924, approved June 7, 1924, is hereby amended to read as follows:

"SEC. 504. Any person who shall knowingly make or cause to be made, or conspire, combine, aid, or assist in, agree to, arrange for, or in any wise procure the making or presentation of a false or fraudulent affidavit, declaration, certificate, statement, voucher, or paper, or writing purporting to be such, concerning any claim or the approval of any claim for compensation or maintenance and support allowance, or the payment of any money, for himself or for any other person, under Titles II or IV hereof, shall forfeit all rights, claims, and benefits under said titles, and, in addition to any and all other penalties imposed by law, shall be guilty of a misdemeanor and upon conviction thereof shall be punished by a fine of not more than $1,000 or imprisonment for not more than one year, or by both such fine and imprisonment, for each such offense."

SEC. 29. That a new section be added to the World War veterans' act, 1924, approved June 7, 1924, to be known as section 505, and to read as follows:

"SEC. 505. Every guardian, curator, conservator, committee, or person legally vested with the responsibility or care of the claimant or his estate, having charge and custody in a fiduciary capacity of money paid under the war risk insurance act as amended or under the World War veterans' act, 1924, for the benefit of any minor or incompetent claimant, who shall embezzle the same in violation of his trust or fraudulently convert the same to his own use shall be punished by fine not exceeding $2,000 or imprisonment at hard labor for a term not exceeding five years, or both."

During the reading of the bill the following occurred:

Mr. BLANTON. Mr. Speaker, I ask unanimous consent to dispense with the further reading of the bill.

The SPEAKER. The Chair does not think that is proper. The Chair thinks the bill must be read.

The Clerk completed the reading of the bill.

The SPEAKER. The question is on the motion of the gentleman from South Dakota to suspend the rules and pass the bill.

Mr. BLACK of Texas. Mr. Speaker, a parliamentary inquiry.

The SPEAKER. The gentleman will state it.

Mr. BLACK of Texas. Will it be in order to pass the bill without demanding a second?

The SPEAKER. Anyone can demand a second who desires.

Mr. BLACK of Texas. Mr. Speaker, I demand a second.

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that a second be considered as ordered.

The SPEAKER. The gentleman from South Dakota asks unanimous consent that a second be considered as ordered. Is there objection?

There was no objection.

Mr. BLACK of Texas. Mr. Speaker, I confess I have not had an opportunity and I am sure very few Members have had the opportunity to read this bill with care. It contains 56 pages and has been brought up at this time without notice. It includes a great deal of important legislation, and as one Member of the House, a very humble Member, I want to express my emphatic protest against this sort of method of legislating. There are some provisions of this bill which are urgently needed, and I dare say there is no objection to them. There are other provisions which are open to serious objection and which really should go out of the bill.

One of the most important provisions of this bill is to set up an entirely new medical service in the Veterans' Bureau, to be known as United States Veterans' Bureau medical service.

Mr. JOHNSON of South Dakota. Will the gentleman yield for a question there?

Mr. BLACK of Texas. I yield.

Mr. JOHNSON of South Dakota. I will say to the gentleman that will be eliminated in the Senate, practically by agreement.

Mr. O'CONNELL of New York. Why can not it be eliminated here?

Mr. JOHNSON of South Dakota. It can not be eliminated here under this procedure.

Mr. BLACK of Texas. It should be eliminated here. The House should never pass any bill in which there are objectionable items, expecting that they will be eliminated elsewhere. That is what I call "passing the buck," and I am no hand to "pass the buck."

I want to call the attention of the House to what we are asked to do here. We are asked to create a United States Veterans' Bureau medical service which shall consist of a medical director, two assistant medical directors, and not to exceed 24 senior medical officers, 80 medical officers, 240 junior medical officers, and as many first and second assistant medical officers and internes as the Director of the Veterans' Bureau may deem necessary. There shall also be included in such service, so the bill provides, one dental director, five dental officers, and such junior dental officers, first assistant dental officers, and second assistant dental officers as may be deemed necessary.

The bill also provides that the pay and allowances of the medical officers which I have just enumerated above shall be the same as that provided for officers of the Medical Corps of the Army in corresponding grades as follows: The medical director shall receive the same pay as the Surgeon General of the Army; the assistant medical directors that of the Assistant Surgeon General; the senior medical officers and dental director that of colonel of the Army; the medical officers and dental officers that of lieutenant colonel; the junior medical officers and junior dental officers that of major; the first assistant medical officers and first assistant dental officers that of captain; the second assistant medical officers and second assistant dental officers that of first lieutenants.

There is entirely too much tendency already in this country to put things on a military basis. Now, comes this bill to

militarize the medical service in the Veterans' Bureau. I do not think it will be a good thing for the disabled veterans and I am strictly against it. It is further provided that separation from the service by officers of the United States Veterans' Bureau medical service shall be made on the recommendation of a board of officers appointed from time to time by the director, under regulations prescribed by the director, and that officers so separated shall be granted six months' pay of the grade in which they are serving when separated, except where the separation is for inefficiency. Where the dismissal is for inefficiency or inaptitude, they get one month's pay after their separation from the service. I never heard of such a rule before. In other words, if there comes a time when the Government no longer needs the services of these high-priced medical officers, the Government paymaster will have to hand them over a check for six months' advance pay, unless he is being dismissed for inefficiency or inaptitude, in which event he would get one month's pay.

Mr. GARRETT of Tennessee. Mr. Speaker, will the gentleman from South Dakota yield me time enough to ask him a question on procedure?

Mr. JOHNSON of South Dakota. Yes.

Mr. GARRETT of Tennessee. The gentleman said that unless the bill passed to-night there was no hope of its passing this Congress. May I ask him why that is the case?

Mr. JOHNSON of South Dakota. That is my opinion after discussing the question an hour and a half ago with several Senators on both sides, and anticipating that the bill might be passed this afternoon I have had it enrolled by the enrolling clerk so that it can be sent over to-night.

Mr. GARRETT of Tennessee. Will it be agreeable to the gentleman for the House to stand in recess and meet to-morrow in order to further consider this bill?

Mr. JOHNSON of South Dakota. I would say that almost anything would be agreeable to me; to meet to-morrow or to sit to-night to pass this bill. But I am satisfied that we could not get a quorum, and I thought that if we would stop discussing the bill we might readily pass it.

Mr. GARRETT of Tennessee. But the gentleman from Texas has indicated very clearly that the bill ought to be discussed.

Mr. QUIN. And it is going to be.

Mr. JOHNSON of South Dakota. I will say that the gentleman differs very much from the members of the Veterans' Committee of his party, because this is the unanimous report of the committee.

Mr. O'CONNELL of New York. Is this a unanimous report of the Veterans' Committee?

Mr. JOHNSON of South Dakota. It certainly is.

Mr. BLACK of Texas. Mr. Speaker, I will not take up any more time of the House, because there are other gentlemen who want to speak on the bill. I expect to vote against the measure, because I do not propose to have at this late hour a bill of this importance, a bill of this scope, brought into the House and have us told that we shall pass it, when gentlemen have not discussed it, and so I am going to cast my vote against it.

Mr. DYER. Has the gentleman had time to read the bill?

Mr. BLACK of Texas. I have not.

Mr. SNYDER. Will the gentleman yield?

Mr. BLACK of Texas. Yes.

Mr. SNYDER. The gentleman seems to be disposed to oppose the medical service provision in this bill.

Mr. BLACK of Texas. I certainly am opposed to it.

Mr. SNYDER. Does the gentleman know that there is nothing contained in this bill that is not in the medical service of the Army and Navy? Does not the gentleman believe that the veterans of the World War ought to have a service equal to that in the Army and the Navy?

Mr. BLACK of Texas. Let me say that there is nothing in this bill that requires that the medical officer shall be a veteran of the World War; not a line.

Mr. SNYDER. There is nothing in this bill that is not in the medical provisions of the law relating to the Army and the Navy.

Mr. BLACK of Texas. Mr. Speaker, I am going to say just one word more to make my explanation clear. So far as I am concerned I am opposed to the continual providing by law for a large retired list at the expense of the Government, and that is one of the most vicious provisions of this bill. I reserve the balance of my time.

Mr. JOHNSON of South Dakota. Mr. Speaker, I simply call the attention of the House to the fact that this is a unanimous report from the Committee on Veterans' Legislation, and that it will increase the cost of caring for the disabled in the United States to the extent of $8,479,200 per year. It takes in the tubercular service men and many other classes that I shall not attempt to discuss, because the whole matter is so fully discussed in the report which accompanies the bill.

Mr. SNYDER. Mr. Speaker, if the gentleman will yield, this medical service put in the bill does not add a dollar of additional cost to the operation of the bureau.

Mr. HILL of Maryland. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. HILL of Maryland. I turn to the report, on page 9, to a letter to the chairman of the committee from the chief of the bureau and I find that he says there—

> Section 9 proposes to amend the first proviso of section 200 to provide for the payment of compensation to all persons suffering from paralysis, paresis, blindness, or constitutional lues, and to persons who are helpless or bedridden as the result of any disability, irrespective of whether such disease or disability is the result of willful misconduct. The estimated cost of this amendment is $2,245,000 for the first year.

Mr. SNYDER. I am speaking of the new medical service that we are putting into the bureau, in addition to that they have now.

Mr. NEWTON of Minnesota. What about retirement?

Mr. SNYDER. There is retirement to the extent of the men entering the service in the bureau. The longevity only begins after the man begins his service in the bureau, and can not go back to the organization of the bureau.

Mr. HILL of Maryland. Why is it necessary to appropriate over $100,000 a year for newly appointed chaplains, when there are plenty of ministers in all of the towns who are willing to go to the hospitals? This is over $100,000 a year, and it may be $200,000 a year.

Mr. JOHNSON of South Dakota. This is a request that came from the service men in the hospitals and the service organizations. The director thinks that he will proceed very slowly in filling these vacancies. There are some hospitals situated far away from any city out in the country, with no minister very near.

Mr. HILL of Maryland. Will the gentleman tell me how many hospitals there are which would be affected by this $3,000-a-year provision?

Mr. JOHNSON of South Dakota. There are 49 hospitals; there could not be any more than that.

Mr. HILL of Maryland. Then it could not be more than $150,000 a year.

Mr. JOHNSON of South Dakota. No.

Mr. JEFFERS. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Yes.

Mr. JEFFERS. In respect to the chaplains it was developed by the investigations made by the members of this committee that oftentimes in these hospitals there were no chaplains in attendance upon the sickest wards, and oftentimes men have died with no chaplains in attendance, with nobody present except a colored orderly, perhaps, in the dead hours of the night. Chaplains do not serve regularly free.

With respect to the $3,000, it provides that not more than $3,000 shall be paid; and in a great many cases we feel sure, and the evidence is to that effect, that the Director of the Veterans' Bureau can secure the services of some minister for a great deal less than that, perhaps two or three hundred dollars a year. We ought to provide chaplains in these hospitals; the Government ought to do it by all means.

Mr. HILL of Maryland. Mr. Speaker, will the gentleman yield?

Mr. JOHNSON of South Dakota. Mr. Speaker, how much time have I used?

The SPEAKER. The gentleman has used five minutes.

Mr. JOHNSON of South Dakota. Mr. Speaker, I reserve the remainder of my time, except that I yield to the gentleman from Maryland for a question.

Mr. HILL of Maryland. Will the gentleman from Alabama [Mr. JEFFERS] tell us how many hospitals there are where it is impossible to get the aid of chaplains at a certain time or of ministers? I am in favor of people having the consolation of the church, but I can not think that there are many places where they can not get the services of a minister.

Mr. JEFFERS. There are a good many of them. In every hospital there ought to be a chaplain.

Mr. HILL of Maryland. How many would there be getting $3,000 a year?

Mr. JEFFERS. There would be few getting $3,000 a year; but there ought to be chaplains in the hospitals.

Mr. HILL of Maryland. Mow many hospitals are there?

Mr. JOHNSON of South Dakota. Forty-nine. I reserve the remainder of my time and yield five minutes to the gentleman from North Carolina [Mr. BULWINKLE].

Mr. BULWINKLE. Mr. Speaker, there seems to be a great deal of misapprehension in the minds of Members in regard to the medical corps. The situation is this: You can not keep medical men at these hospitals unless you provide that at some time in the future when they are disabled, or when they retire, they will receive retirement pay.

I forget the number who quit each year, but the director has trouble with them. That is all there is to it. Who on the floor of this House would begrudge one cent you pay to these nurses for retirement pay on account of disability? Go to Oteen, N. C., and there in one cottage some 35 or 40 nurses have contracted tuberculosis while in the service of the United States Government. There is only one way in which we can build up and improve the condition, and that is by establishing a medical corps in the service. Next year we may present to you another proposal as to hospital orderlies. We directed the director to give more medical men and nurses to these hospitals. At one hospital in our investigation in the past six months no one has waited upon a dying man except a negro orderly.

Mr. CONNERY. Will the gentleman yield?

Mr. BULWINKLE. I will.

Mr. CONNERY. Is it not a fact that unless we do add this medical corps provision on this bill we are not going to have any reputable doctors in the Veterans' Bureau? We are going to lose the best doctors we have there.

Mr. BULWINKLE. The gentleman is right.

Mr. DYER. Will the gentleman yield right there?

Mr. BULWINKLE. I will.

Mr. DYER. What does the gentleman say as to the statement of the chairman of the committee that this provision is to be eliminated?

Mr. BULWINKLE. If that is so——

Mr. JOHNSON of South Dakota. I might answer that question. I might say certain Members of the Senate stated they were violently opposed to it and would try to kill the legislation unless it was eliminated. It will not be eliminated with our consent, but it may be eliminated by their strength.

Mr. BULWINKLE. Now, another great provision in this I want to call attention to briefly is this: That any man who has an arrested case of tuberculosis is not fit to go out in the battle of life. Under this bill that man has three years' pay at $50 a month in order that he may get strong. Is there any man here who would begrudge that? This bill has been here for 10 days, and anyone could have read it. There was no attempt on the part of the committee not to let everyone see it. We have extended provisions in numerous cases for the benefit of these disabled men, who not only deserve your sympathy but deserve the everlasting gratitude of the Members of this House. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker, I ask unanimous consent that all Members of the House be allowed to extend their remarks on this legislation for the next five legislative days.

The SPEAKER. Is there objection?

Mr. RANKIN. Mr. Speaker, I am going to object, but I will reserve it long enough to give my reason for objecting. Bring these bills in here and give us a chance to debate them under the ordinary procedure of the House and I will not object; but I am not in favor of bringing these bills in here, passing them, with practically no debate, under suspension of the rules, and then filling the RECORD with remarks that were not made on the floor. I therefore object. [Applause.]

Mr. BLACK of Texas. I yield three minutes to the gentleman from Alabama [Mr. HUDDLESTON].

Mr. HUDDLESTON. Mr. Speaker, it is now 6.30. At 7.30 a caucus is scheduled to be held in this Chamber. The House has now been in session since 10 o'clock this morning. We have had no time to get lunch or dinner, nor even a drink of water. Here is a bill of 56 pages and containing literally dozens of important and difficult propositions that ought to have careful consideration of the House. Not a Member of the House, unless he was on the committee that reported it, has read the bill or given it any consideration. To ask the House to act on this bill under such circumstances is an affront to the dignity of the House and an imposition upon its Members. It is nothing short of a parliamentary atrocity.

Never before since I have been a Member of the House have I seen anything as raw as this attempted. [Applause.] Let me say to the gentlemen who are pushing this measure I have never been so unmindful of my duty to the people of the United States as to allow myself to be forced into voting for a measure under such circumstances.

The worst feature of this situation is that the gentlemen who are perpetrating this outrage shelter themselves behind the wounded raiment of our disabled veterans and take advantage of our regard for the men who suffered for their country to thrust through the House without decent consideration a measure for their pretended relief. We do not know what the measure provides for. I do know that it has many faults, and I for one refuse to vote for it. Make the most of it. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker, the chairman of the Committee on World War Veterans' Legislation is in no way responsible for the fact that the gentleman from Alabama [Mr. HUDDLESTON] is not sufficiently interested or did not take the time to read the bill. All of these measures and many other important matters are taken up under suspension of the rules—the only way it could be done. I am aware of the fact that there is a caucus to be held by the gentlemen on the other side this evening, and I have no desire to delay the proceedings further. [Applause.]

Mr. BLACK of Texas. Mr. Speaker, I yield two minutes to the gentleman from Wisconsin [Mr. SCHAFER].

The SPEAKER. The gentleman from Wisconsin is recognized for two minutes.

Mr. SCHAFER. Mr. Speaker and gentlemen of the House, while I am in hearty accord with most of the provisions of this bill, I feel that the disabled ex-service men should know what consideration the party now in control has given to their legislation. At the last session the act of June 7, 1924, was enacted under suspension of the rules; legislation vitally affecting millions of disabled ex-service men. We could not take the time of the House and have a rule brought out of the Committee on Rules to give full consideration to the legislation.

Now, at this session we again have the soldiers' relief legislation brought to us in the closing days under suspension of the rules, with the right only to vote it up or vote it down and without the right to dot an "i" or cross a "t." We have had plenty of time in this House to give full consideration to a bill to provide a shooting park for the wealthy of this land and to give consideration to the port of New York bill and other similar legislation. But where was the Committee on Rules? And where was the Republican Party in control of the Rules Committee on soldiers' relief legislation? Why did they not bring out a rule so that legislation in the interest of the disabled veterans could receive proper and full consideration in the House? Yes; they ask Congress to hold a postmortem on the bill and let the Members of the House write a lot of speeches under extension of remarks after the bill has been passed.

I hope the disabled ex-service men of this Nation will read the CONGRESSIONAL RECORD and see just what consideration their legislation has received in this session of Congress as well as in the last session. [Applause.]

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

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield two minutes to the gentleman from Alabama [Mr. JEFFERS].

Mr. JEFFERS. Mr. Speaker and gentlemen of the House, I wish to say in the short time available that as a member of the committee I can assure the House that, so far as the committee is concerned, it held long and arduous sessions in the consideration of this bill and in the preparation of its various provisions.

It has been said here that it is "pretended" to be in the interest of sick and disabled ex-service men. I want to declare that it is honestly intended to be in their interest, and it certainly is, in fact, in their interest.

There are many remedial amendments, some of them comparatively small ones, it is true, and others of greater importance, but all are remedial amendments that are well calculated to smooth the rough edges and work out the kinks in existing legislation affecting sick and disabled ex-service men.

I regard this medical-service feature of the bill as one of the most important and essential things which must be handled in some adequate way in the near future, otherwise we are not going to have competent medical and surgical personnel to give medical and surgical attention to the sick and disabled veterans, not only of the World War but of other wars. We are losing capable doctors now on account of the fact that there is no feature of permanency in their tenure of employment under the present system. It is highly in the interest of our sick and disabled service people that an efficient medical and surgical service be developed and properly maintained.

This feature of the bill, like its other provisions, has had the careful and thoughtful consideration of your committee.

I think the entire measure should by all means become law before this session of Congress comes to a close, so I trust the House will pass it before we adjourn this evening. [Applause.]

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

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield two minutes to the gentleman from Massachusetts [Mr. LUCE].

The SPEAKER. The gentleman from Massachusetts is recognized for two minutes.

Mr. LUCE. Mr. Speaker, no man in this House regrets more than I do those circumstances under which this measure for the relief of the ex-service men becomes necessary. The report of the committee under the present condition must virtually be taken on faith, but I take this time simply to testify to the fact that 21 Members of this House, representing both political parties, representing veterans and those not so fortunate as to have been able to engage in the Great War, men of conservative tendencies, and men of radical tendencies, have spent weeks in earnest study, day after day, devoting themselves assiduously to this task, reconciling their differences, at last have come to a unanimous agreement, and they present this to you as the best product of their efforts. [Applause.]

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

Mr. BLACK of Texas. Mr. Speaker, I yield four minutes to the gentleman from Texas [Mr. BLANTON].

The SPEAKER. The gentleman from Texas is recognized for four minutes.

Mr. BLANTON. Mr. Speaker, this 56-page bill was read in exactly six minutes. The Speaker held that it had to be read.

When we protested against its being taken up at this hour under the circumstances, suspension, and when it can not be amended in any particular, our distinguished leader [Mr. LONGWORTH], who has recently been promoted and ought to be in good humor, said it was silly this evening to ask for a roll call. He forgets that the Constitution provides that there must be a quorum of this House to vote on an important matter, and it has only been on important matters that there has been a request that there be a quorum in this House.

I know that the gentleman from South Dakota [Mr. JOHNSON] now gets in a hurry to pass this measure. He introduced it last December and then he went to Panama and stayed. If he had not made the trip to Panama, this bill could have been taken up earlier. He then held hearings for three weeks, and it was two weeks after the hearings were held before a subcommittee was appointed by him to draft this bill. This bill was introduced on the 16th of February by that committee and reported on the 18th, and it has been on this calendar ever since the 18th. If it has been so important, why could not our friend ask to take it up before, and why does he wait until the very threshhold of a Democratic caucus and then place us in the attitude of being unfriendly to the service men? I do not have to prove my friendliness to them; they know my friendly attitude toward them. I have never turned one down yet. They have called on me from every State in this Union; they know everywhere that TOM BLANTON is their friend, but I do not believe in passing 56-paged measures like this without reading them, with only 20 minutes to the side, when they can not be amended. I will state to the distinguished Republican leader that it is silly to take it up and pass it now. [Applause.] It is silly for him to sit here and ask us to do this. It is the first silly thing he has done since he has been made Speaker of this House. [Laughter.]

Mr. BLACK of Texas. Mr. Speaker, I yield the remainder of my time to the gentleman from Arkansas [Mr. WINGO].

The SPEAKER. The gentleman from Arkansas is recognized for four minutes.

Mr. WINGO. Mr. Speaker, it is not necessary for this House to act in a senseless way in order to show that it is ready and willing to do justice to the disabled soldiers of the Nation. Gentlemen, you may say what you please, but it is not fair to this House to bring this measure in at this time of the night, under suspension of the rules, and ask us to consider a 30-section, 56-page bill, with 40 minutes of debate, and no chance to consider the detailed provisions of the bill. It is not fair and it is not the proper way to legislate. You propose to take advantage of two things. One is that this is a soldiers' bill, and the other is that the Members of this House have great respect for the members of the committee that reported it. Those gentlemen admit it took them many months to consider it and arrive at the conclusion they have reported to the House; yet you ask us, in 40 minutes' time and without reading it for amendment, to accept, without any consideration whatever, a measure on which it took the committee many months to arrive at a conclusion. You had this problem confronting you when this House met in December, and you could have brought it before the House promptly.

I will tell you one reason why I am afraid of bills passed this way. Twice since the World War there has been an injustice done by hurriedly passing bills affecting the veterans in just this very way. I predict you will find that you have done some injustice in this bill which would have been detected if you had taken it up in a proper, decent way and considered it section by section, as you usually consider these bills.

Gentlemen, the responsibility is yours. I do not care anything about the Democratic caucus. I do not think I shall even be there. Democrats do not care anything about that and that is not what they are protesting against; what they are protesting against is coming in here and trying to ram through a measure the subject matter of which you know challenges the sympathy and the earnest consideration of every Member of the House, and you could expect them to do justice if you would give them a chance to exercise their intelligence upon the detailed provisions of the bill. [Applause.]

It is not fair, gentlemen, and I protest against it; and I warn you that whenever you adopt tactics like this you not only discredit yourselves but you discredit this House as a legislative body that is supposed to act with some consideration and with some decency. [Applause.]

Mr. JOHNSON of South Dakota. Mr. Speaker, I yield two minutes to the gentleman from Tennessee [Mr. BROWNING].

The SPEAKER. The gentleman has only one minute remaining.

Mr. JOHNSON of South Dakota. Then I yield that one minute to the gentleman from Tennessee.

Mr. BROWNING. I just want to say that I do not feel the House would be justified in defeating this measure because of the resentment it has at the way it is brought up. This bill is not all new matter. There are very many paragraphs printed in it from the old measure, with only one or two lines changed. There is no monstrosity in the provisions that are added to the measure; it is just simply smoothing out the rough places in the old measure, where we intended to do something before but now find that under the rulings of the Comptroller General that can not be done under the language of the old measure. We have tried to straighten out all those things. The medical service is practically the only new thing in it, and that proposition is urgent from the statement of the director of the bureau to the effect that he is losing most of his good doctors.

The SPEAKER. The time of the gentleman from Tennessee has expired. All time has expired. The question is on the motion of the gentleman from South Dakota to suspend the rules and pass the bill.

The question was taken; and two-thirds having voted in favor thereof, the rules were suspended and the bill was passed.

SPEAKER PRO TEMPORE TO-MORROW

The Chair appointed as Speaker pro tempore to preside tomorrow the gentleman from Kentucky, Mr. JOHNSON.

ENROLLED BILLS SIGNED

Mr. ROSENBLOOM, from the Committee on Enrolled Bills, reported that they had examined and found truly enrolled bills and joint resolutions of the following titles, when the Speaker signed the same:

H. R. 1948. An act for the relief of Samuel Friedman, as trustee for the heirs and devisees of B. Friedman, deceased, and Henry Mills, as trustee for the heirs and devisees of Emanuel Loveman, deceased;

H. R. 11444. An act reclassifying the salaries of postmasters and employees of the Postal Service, readjusting their salaries and compensation on an equitable basis, increasing postal rates to provide for such readjustment, and for other purposes;

S. 827. An act for the relief of Jessie M. White;

S. 1237. An act for the relief of settlers and claimants to section 16, lands in the L'Anse and Vieux Desert Indian Reservation, in Michigan, and for other purposes;

S. 1323. An act for the relief of Eugene K. Stoudemire;

S. 1573. An act for the relief of Samuel S. Weaver;

S. 1725. An act for the relief of Rubie M. Mosley;

S. 2100. An act authorizing the sale of the United States Veterans' Bureau hospital at Corpus Christi, Tex.;

S. 2399. An act to provide and adjust penalties for violation of the navigation laws, and for other purposes;

S. 2503. An act for the relief of W. H. King;

S. 2527. An act for the payment of claims for damages to and loss of private property incident to the training, practice, operation, or maintenance of the Army;

S. 2534. An act for the relief of J. E. Saucier;
S. 2745. An act to authorize the Secretary of War to convey to the States in which located Government owned or controlled approach roads to national cemeteries and national military parks, and for other purposes;
S. 2865. An act to define the status of retired officers of the Regular Army who have been detailed as professors and assistant professors of military science and tactics at educational institutions, and for other purposes;
S. 2879. An act for the relief of James E. Jenkins;
S. 3666. An act for the exchange of lands in the Custer National Forest, Mont.;
S. 3824. An act to provide for the appointment of a leader of the Army Band;
S. 3899. An act to create a Library of Congress trust fund board, and for other purposes;
S. 3977. An act to authorize the Secretary of War to reappoint and immediately discharge or retire certain warrant officers of the Army Mine Planter Service;
S. 4015. An act to authorize the Secretary of the Interior to sell to the city of Los Angeles certain lands in California heretofore purchased by the Government for the relief of homeless Indians;
S. 4087. An act to revive and reenact the act entitled "An act to authorize the construction of a bridge across the Sabine River at or near Orange, Tex.";
S. 4178. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Hudson River between the States of New York and New Jersey;
S. 4179. An act to authorize the Port of New York Authority to construct, maintain, and operate bridges across the Arthur Kill between the States of New York and New Jersey;
S. 4203. An act to authorize the Port of New York Authority to construct, maintain, and operate a bridge across the Kill Van Kull between the States of New York and New Jersey;
S. 4230. An act to authorize the Secretary of the Treasury to prepare a medal with appropriate emblems and inscriptions commemorative of the Norse-American Centennial;
S. 4325. An act authorizing the construction, maintenance, and operation of a bridge across the St. Louis River between the cities of Superior, Wis., and Duluth, Minn.;
S. J. Res. 163. Joint resolution to accept donations of furniture and furnishings for use in the White House;
H. J. Res. 115. Joint resolution approving the action of the Secretary of War in directing the issuance of quartermaster stores for the relief of sufferers from the cyclone at Lagrange and at West Point, Ga., and vicinity March, 1920;
H. J. Res. 318. Joint resolution establishing a commission for the participation of the United States in the observance of the one hundred and fiftieth anniversary of the Battle of Bunker Hill, authorizing an appropriation to be utilized in connection with such observance, and for other purposes;
H. R. 1415. An act for the relief of Josiah Frederick Dose;
H. R. 1539. An act for the relief of Caleb Aber;
H. R. 2016. An act for the relief of William M. Phillipson;
H. R. 1569. An act for the relief of Andrew A. Gieriet;
H. R. 2905. An act to authorize an exchange of lands with Ed Johnson, of Eagle, Colo.;
H. R. 3842. An act to provide for terms of the United States district court at Denton, Md.;
H. R. 4148. An act to modify and amend the mining laws in their application to the Territory of Alaska, and for other purposes;
H. R. 4913. An act to pay to Jere Austill fees earned as United States commissioner;
H. R. 5660. An act for the relief of Charles Spencer;
H. R. 5759. An act for the relief of James F. Abbott;
H. R. 5786. An act for the relief of Roberta H. Leigh and Laura H. Pettit;
H. R. 6044. An act authorizing the Secretary of the Interior to sell and patent certain lands to Lizzie M. Nickey, a resident of De Sota Parish, La.;
H. R. 6045. An act authorizing the Secretary of the Interior to sell and patent certain lands to Flora Horton, a resident of De Sota Parish, La.;
H. R. 6268. An act for the relief of Francis M. Atherton;
H. R. 6710. An act to authorize the Secretary of the Interior to lease certain lands;
H. R. 7118. An act for the relief of the Mechanics & Metals National Bank, successor to the New York Produce Exchange Bank;
H. R. 7679. An act for the relief of Lars O. Elstad and his assigns and the exchange of certain lands owned by the Northern Pacific Railway Co.;
H. R. 8037. An act for the relief of the Mallory Steamship Co.;
H. R. 8072. An act for the relief of Emma Zembsch;
H. R. 8294. An act for the relief of Edward B. Sappington;
H. R. 8297. An act for the relief of the Canadian Pacific Railway Co.;
H. R. 9027. An act authorizing the Secretary of the Interior to sell and patent to William G. Johnson certain lands in Louisiana;
H. R. 9062. An act conferring jurisdiction upon the Court of Claims to hear, examine, adjudicate, and enter judgment in any and all claims, of whatever nature, which the Kansas or Kaw Tribe of Indians may have or claim to have against the United States, and for other purposes;
H. R. 9435. An act to provide for commitments to, maintenance in, and discharges from the District Training School, and for other purposes;
H. R. 9825. An act to extend the time for the construction of a bridge across Pearl River at approximately 1½ miles north of Georgetown, in the State of Mississippi;
H. R. 10277. An act to extend the time for the construction of a bridge across Humphreys Creek at or near the city of Sparrows Point, Md.;
H. R. 10347. An act for the relief of Robert B. Sanford;
H. R. 10472. An act to provide for restoration of the Old Fort Vancouver Stockade;
H. R. 10592. An act to amend an act entitled "An act authorizing extensions of time for the payment of purchase money due under certain homestead entries and Government-land purchases within the former Cheyenne River and Standing Rock Indian Reservations, N. Dak. and S. Dak.;
H. R. 11077. An act authorizing the issuance of patents to the State of South Dakota for park purposes of certain lands within the Custer State Park, now claimed under the United States general mining laws, and for other purposes;
H. R. 11355. An act authorizing the Secretary of War to convey by revocable lease to the city of Springfield, Mass., a certain parcel of land within the Springfield Military Armory Reservation, Mass.;
H. R. 11210. An act to grant certain public lands to the State of Washington for park and other purposes;
H. R. 11358. An act to authorize the Secretary of the Interior to cancel restricted fee patents covering lands on the Winnebago Indian Reservation and to issue trust patents in lieu thereof;
H. R. 11360. An act to provide for the permanent withdrawal of a certain 40-acre tract of public land in New Mexico for the use and benefit of the Navajo Indians;
H. R. 11361. An act to provide for exchanges of Government and privately owned lands in the additions to the Navajo Indian Reservation, Ariz., by Executive orders of January 8, 1900, and November 14, 1901;
H. R. 11362. An act to authorize an appropriation for the purchase of certain lots in the town of Cedar City, Utah, for the use and benefit of a small band of Piute Indians located thereon;
H. R. 11410. An act to extend the time for the exchange of Government lands for privately owned lands in the Territory of Hawaii;
H. R. 11644. An act granting certain public lands to the city of Phoenix, Ariz., for municipal park and other purposes;
H. R. 11726. An act to authorize the creation of a national memorial in the Harney National Forest;
H. R. 11886. An act to amend section 7 of an act entitled "An act to enable any State to cooperate with any other State or States, or with the United States, for the protection of the watersheds of navigable streams, and to appoint a commission for the acquisition of lands for the purpose of conserving the navigability of navigable rivers," approved March 1, 1911 (36 Stat. L. p. 961);
H. R. 11953. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River on the north and south center line of section 33, township 37 north, and range 9 west of the second principal meridian in Lake County, Ind., where said river is crossed by what is known as Kennedy Avenue;
H. R. 11954. An act granting the consent of Congress for the construction of a bridge across the Grand Calumet River at Gary, Ind.;
H. R. 11977. An act to extend the time for the commencement and completion of the bridge of the American Niagara Railroad Corporation across the Niagara River in the State of New York;
H. R. 12001. An act to provide for the elimination of Lamond grade crossing in the District of Columbia, and for the extension of Van Buren Street;
H. R. 12086. An act to authorize the transfer of the United States Weather Bureau site and buildings at East Lansing,

Mich., to the State of Michigan in exchange for another Weather Bureau site on the grounds of the Michigan State Board of Agriculture and other considerations;

H. R. 6095. An act to authorize the Secretary of War to sell real property, to wit, a portion of the Fort Revere Reservation, at Hull, Mass.; and

H. R. 11701. An act to amend the act entitled "An act to regulate steam engineering in the District of Columbia," approved February 28, 1887.

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. 11009. An act for the relief of James T. Conner;

H. R. 5261. An act to repeal and reenact chapter 100, 1914, Public, No. 108, to provide for the restoration of Fort McHenry, in the State of Maryland, and its permanent preservation as a national park and perpetual national memorial shrine as the birthplace of the immortal Star-Spangled Banner, written by Francis Scott Key, for the appropriation of the necessary funds, and for other purposes;

H. R. 5236. An act for the relief of Mrs. M. J. Adams; and

H. R. 12300. An act to amend section 281 of the revenue act of 1924.

SENATE BILL REFERRED

Under clause 2, Rule XXIV, Senate bill of the following title was taken from the Speaker's table and referred to its appropriate committee, as indicated below:

S. 4382. An act to supplement the naturalization laws; to the Committee on Mining.

ADJOURNMENT

Mr. LONGWORTH. Mr. Speaker, I move that the House do now adjourn.

The motion was agreed to; accordingly (at 6 o'clock and 42 minutes p. m.) the House, in accordance with its previous order, adjourned until to-morrow, Sunday, March 1, 1925, at 2 o'clock p. m.

EXECUTIVE COMMUNICATIONS, ETC.

916. Under clause 2 of Rule XXIV, a letter from the Governor of the Federal Reserve Board, transmitting the Eleventh Annual Report of the Federal Reserve Board covering operations for the year 1924, was taken from the Speaker's table and referred to the Committee on Banking and Currency.

REPORTS OF COMMITTEES ON PUBLIC BILLS AND RESOLUTIONS

Under clause 2 of Rule XIII,

Mr. McKENZIE: Committee on Military Affairs. H. Res. 457. A resolution relating to the Muscle Shoals property; without amendment (Rept. No. 1627). Referred to the House Calendar.

Mr. SMITH: Committee on Irrigation and Reclamation. H. R. 12439. A bill to permit a compact or agreement between the States of Washington, Idaho, Oregon, and Montana respecting the disposition and apportionment of the waters of the Columbia River and its tributaries, and for other purposes; without amendment (Rept. No. 1631). Referred to the House Calendar.

Mr. WINTER: Committee on Irrigation and Reclamation. H. R. 12083. A bill to provide for aided and directed settlement on Government land in irrigation projects; without amendment (Rept. No. 1628). Referred to the Committee of the Whole House on the state of the Union.

Mr. BACON: Committee on the Library. H. R. 12389. A bill for the erection of a monument upon the Revolutionary battle field of White Plains, State of New York; with amendments (Rept. No. 1630). Referred to the Committee of the Whole House on the state of the Union.

PUBLIC BILLS, RESOLUTIONS, AND MEMORIALS

Under clause 3 of Rule XXII, bills, resolutions, and memorials were introduced and severally referred as follows:

By Mr. SHALLENBERGER: A bill (H. R. 12442) authorizing the Secretary of the Interior to acquire land and erect a monument on the site of the battle between the Sioux and Pawnee Indian Tribes in Hitchcock County, Nebr., fought in the year 1873; to the Committee on the Library.

By Mrs. NOLAN: A bill (H. R. 12443) to provide for the establishment of a national employment system and for cooperation with the States in the promotion of such system, and to regulate the expenditure of moneys that shall be appropriated for such purposes; to the Committee on Labor.

By Mr. WAINWRIGHT: A bill (H. R. 12444) providing for the biennial appointment of a board of visitors to inspect and report upon the government and conditions in the Philippine Islands; to the Committee on Insular Affairs.

By Mr. MADDEN: A bill (H. R. 12445) relating to claim for damages to or loss of privately owned property belonging to persons in the public service; to the Committee on Claims.

Also, a bill (H. R. 12446) to provide for the return to taxpayers of surpluses in the Treasury; to the Committee on Ways and Means.

By Mr. BURTNESS: A bill (H. R. 12447) to amend section 206 of the transportation act, 1920, as amended; to the Committee on Interstate and Foreign Commerce.

By Mr. LANKFORD: A bill (H. R. 12448) to secure Sunday as a day of rest in the District of Columbia, and for other purposes; to the Committee on the District of Columbia.

By Mr. GILLETT: A bill (H. R. 12449) for the apportionment of Representatives in Congress amongst the several States under subsequent decennial censuses; to the Committee on the Census.

By Mr. BACON: A bill (H. R. 12450) to supplement the naturalization laws; to the Committee on Immigration and Naturalization.

By the SPEAKER (by request): Memorial of the Legislature of the State of Wisconsin, memorializing the Congress of the United States, urging the passage of the H. R. 11541; to the Committee on the Merchant Marine and Fisheries.

Also, memorial of the Legislature of the State of Arizona, petitioning Congress to enact legislation for the relief of the stockraisers, grazing and ranging livestock on the United States national forests; to the Committee on Agriculture.

Also (by request), memorial of the Legislature of the State of Michigan, urging Congress to appropriate such funds and enact such legislation as will adequately provide for the carrying out of the provisions of the national defense act; to the Committee on Military Affairs.

By Mr. GARBER: Memorial of the Legislature of the State of Oregon, asking for support of Senate bill 3779, to provide for aided and directed settlement on Government land in irrigation projects; to the Committee on Irrigation and Reclamation.

By Mr. WILLIAMS of Michigan: Memorial of the Legislature of the State of Michigan, urging upon Congress the necessity for adequate appropriations for efficiently carrying out the provisions of the national defense act and to permit the progressive development of the National Guard, the Organized Reserves, and the citizens' military training camps; to the Committee on Appropriations.

By Mr. HUDSON: Memorial of the Legislature of the State of Michigan, urging upon Congress the necessity of appropriation of funds and enacting of legislation which will adequately provide for the effective carrying out of the provisions of the national defense act of 1920 and the recommendations of the Chief of Staff of the Army of the United States; to the Committee on Military Affairs.

PRIVATE BILLS AND RESOLUTIONS

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

By Mr. COOK: A bill (H. R. 12451) granting a pension to Martha Bovie; to the Committee on Pensions.

By Mr. TINCHER: A bill (H. R. 12452) granting an increase of pension to America Truax; to the Committee on Invalid Pensions.

By Mr. BEGG: Joint resolution (H. J. Res. 381) extending the thanks of Congress to Thomas Alva Edison; to the Committee on the Library.

PETITIONS, ETC.

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

3931. By Mr. ARNOLD: Petition of sundry citizens of Noble, Ill., protesting against the passage of the compulsory Sunday observance bill; to the Committee on the District of Columbia.

3932. By Mr. BIXLER: Petition of sundry citizens of Russell, Warren County, Pa., protesting against compulsory Sunday observance; to the Committee on the District of Columbia.

3933. By Mr. CURRY: Petition of certain residents of La Jota, Calif., protesting against enactment of Sunday legislation for the District of Columbia; to the Committee on the District of Columbia.

3934. By Mr. HADLEY: Petition of sundry residents of Skagit County, Wash., opposed to the passage of S. 3218; to the Committee on the District of Columbia.

3935. By Mr. HUDSON: Petition of sundry citizens of Ingham and Oakland Counties, Mich., protesting against the passage of the compulsory Sunday observance bill (S. 3218) or any other religious legislation which is now pending; to the Committee on the District of Columbia.

3936. By Mr. LEA of California: Petition of 74 residents of Mendocino County, Calif., protesting against passage of the so-called Sunday observance bill (S. 3218); to the Committee on the District of Columbia.

3937. By Mr. LEAVITT: Petition numerously signed by residents of Hardin, Mont., protesting passage of Senate bill 3218 or any other religious legislation now pending before Congress; to the Committee on the District of Columbia.

3938. By Mr. MONTAGUE: Petition of 43 citizens of Virginia, protesting against the passage of Senate bill 3218, the compulsory Sunday observance bill, and all other similar religious legislation; to the Committee on the District of Columbia.

3939. By Mr. SHALLENBERGER (by request): Petition of 100 citizens of the State of Nebraska, protesting against the passage of the Sunday compulsory observance bill, S. 3218; to the Committee on the District of Columbia.

3940. By Mr. SINCLAIR: Petition of 48 residents of Williams County and 19 residents of Billings County, N. Dak., protesting against S. 3218 or other religious legislation; to the Committee on the District of Columbia.

3941. By Mr. SNELL: Petition of the United Spanish War Veterans, Camp General Stephen Moffitt, No. 94, favoring Bursum bill (S. 3314); to the Committee on Pensions.

HOUSE OF REPRESENTATIVES

SUNDAY, *March 1, 1925*

The House met at 2 o'clock p. m. and was called to order by Mr. JOHNSON of Kentucky, Speaker pro tempore.

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

Blessed Lord God, Thou are infinite in wisdom and in love and far too wonderful for human understanding, yet there are none so wounded but can be helped by Thy spirit. Thou dost heal the broken heart and bind up with many balms the toiling hands of mortals. Give us a sweet unmurmuring faith in all Thy providences. In our disappointments, in our sorrows, and through our tears may we behold the cross on which is the heartbreak of the world's Saviour and the Father's message to the children of men. Be with all hearts that are afflicted and with all firesides that are saddened and when we reach the hilltop of eternity's morning may we see Thy face and hear Thy voice. Amen.

The SPEAKER pro tempore. Without objection, the reading of the Journal will be deferred.

There was no objection.

THE LATE REPRESENTATIVE CANTRILL

The SPEAKER pro tempore. The Clerk will report the special order.

The Clerk read as follows:

On motion of Mr. MORRIS, by unanimous consent—

Ordered, That Sunday, March 1, 1925, at 2 o'clock p. m., be set apart for memorial addresses on the life, character, and public services of the Hon. JAMES C. CANTRILL, late a Representative from the State of Kentucky.

Mr. MORRIS. Mr. Speaker, I offer the following resolution, which I send to the desk and ask to have read.

The SPEAKER. The Clerk will report the resolution.

The Clerk read as follows:

House Resolution 460

Resolved, That the business of the House be now suspended, that opportunity may be given for tribute to the memory of Hon. J. CAMPBELL CANTRILL, late a Member of this House from the State of Kentucky.

Resolved, That as a particular mark of respect to the memory of the deceased, and in recognition of his distinguished public career, the House, at the conclusion of these exercises, shall stand adjourned.

Resolved, That the Clerk communicate these resolutions to the Senate.

Resolved, That the Clerk send a copy of these resolutions to the family of the deceased.

The SPEAKER pro tempore. The question is on the adoption of the resolution.

The resolution was agreed to.

The SPEAKER. The gentleman from Kentucky [Mr. MORRIS] is recognized.

Mr. MORRIS. Mr. Speaker, 16 years ago this month, J. CAMPBELL CANTRILL and I came to Washington, he the Representative of the seventh district of Kentucky and I his secretary. From that date until his death we were like brothers and never during this time was there an unkind word between us.

Mr. CANTRILL was born at Georgetown, Scott County, Ky., July 9, 1870; was educated at Georgetown (Ky.) College. He was twice married. His first marriage was to Miss Carrie Payne, who died December 8, 1913; and his second marriage was to Mrs. Ethel Gist Ripy, of New Castle, Ky., who now survives him. His only child, James Edwards Cantrill, resides at Georgetown, Ky. Early in life Mr. CANTRILL engaged in farming, in which he continued until his death. He loved the farm and was recognized as one of the best farmers in the blue grass region of Kentucky. He was fond of politics and always manifested a keen interest in civic affairs. In 1897 he was elected a member of the Kentucky House of Representatives and served two terms in that body. In 1901 he was elected a member of the Kentucky Senate from the twenty-second senatorial district, where he was soon recognized as a leader not only in the Senate but in the Democratic Party of the State.

In 1908 Mr. CANTRILL was elected to Congress, where he served continuously until his death. During his service in this body he was a member of the Committee on Public Buildings and Grounds; was chairman of the Committee on Industrial Arts and Expositions; and from the year 1913 (Sixty-third Congress) to the end of his congressional career he was a member of the important Committee on Rules.

I feel that the older members of that committee, as well as the older Members of this House in general will concede that he was an active, able, and influential member of the Committee on Rules and of the House. While it was not his privilege to serve as a member of the Committee on Agriculture, his interest was always centered in legislation designed to aid agriculture, and the farmers of his district and of the entire country realized that they had in him a loyal friend and an able champion.

His efforts were particularly directed to the interests of the tobacco growers of the country, and he secured the enactment of laws from which they derived immeasurable protection and countless benefits. He represented the greatest agricultural district of his State, and his devotion and untiring efforts in behalf of the farmers of the country made him the idol of his constituents.

In the presidential compaign of 1916 Mr. CANTRILL was chosen chairman of the campaign for the State of Kentucky, with headquarters in Louisville, where he worked day and night for months, perfecting one of the greatest organizations ever known in Kentucky, in virtue of which Woodrow Wilson carried the State by a majority of 28,000.

In the presidential campaign of 1920 Mr. CANTRILL was called by the National Democratic Committee to New York City, having been selected as chairman of the committee on organization, where he rendered valuable aid to his party.

He became a candidate for the Democratic nomination for Governor of Kentucky in 1923 and was nominated in the State primary of that year. Prior to the primary election, at Corbin, Ky., Mr. CANTRILL suffered a physical breakdown which resulted in a long illness from which he died on September 2, 1923, just one month after receiving the nomination.

It was my privilege to be associated with Mr. CANTRILL during all these years which gave me an opportunity to study and to know him, and to love him as few men could. Mr. CANTRILL was a man of superior intellect, unfaltering courage and sound judgment. His chief characteristic was to weigh carefully and analyze thoroughly every problem that confronted him. He never overlooked defects because of his advocacy of a proposition nor magnified them because of his opposition thereto.

One of my greatest pleasures would be when he would so often say to me, "Well, Jo, we will now have a cabinet meeting and go into executive session." By this he meant that something had taken place during the day and we were to discuss and analyze it. It was at these cabinet meetings where only the two of us were present that I saw him at his best. As a husband and father he was kind and affectionate; as a neighbor he was ever ready to serve his fellow man, and was always noted for his kindly consideration of, and assistance to those needing help. For these, and many other traits of character, he was beloved by his neighbors.

As a statesman Mr. CANTRILL was broad of vision and his advice was often sought and always welcomed by others who